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The Governor's Reorganization Plan of 2007

On April 11, 2007, pursuant to Chapter 19 of the Acts of 2007, known as the "Governor's Reorganization Plan," the former Department of Telecommunications Energy ceased to exist. In its place, the Governor's Reorganization Plan established two new agencies: the Department of Telecommunications & Cable (DTC) and the Department of Public Utilities (DPU). The Reorganization Plan assigned the jurisdiction and powers of the Department of Telecommunications & Energy to either the Department of Public Utilities or the Department of Telecommunications & Cable.

The Reorganization Plan directed that the Department of Telecommunications & Cable (DTC) be led by one Commissioner, with jurisdiction over matters relating to telecommunications and cable television. The Office of Consumer Affairs and Business Regulation in the Executive Office of Housing & Economic Development oversees the DTC. The Reorganization Plan directed that the Department of Public Utilities (DPU) be led by a three-member commission, with jurisdiction over electric, natural gas, pipeline, siting, water and transportation issues. Pursuant to the Reorganization Plan, the Governor appoints one of the commissioners as Chairman and the Undersecretary of Energy in the Executive Office of Energy & Environmental Affairs oversees the DPU.

The Consumer Division of the former of the former DTE became part of the newly formed DTC, but under an agreement with the DPU, it has continued accepting complaints regarding companies jurisdictional to the DPU.

Any proceeding that was open on April 11, 2007, with a "D.T.E." designation in the docket number, and not involving telecommunications or cable, became "D.T.E./D.P.U." with the same numerals. All pending telecommunications and cable cases were transferred to the Department of Telecommunications & Cable. Filings docketed on or after April 11, 2007, coming under the jurisdiction of the Department of Public Utilities, were assigned a docket number beginning with "D.P.U." Any proceeding with a "D.T.E." designation that was closed on or before April 10, 2007, kept the D.T.E. designation.

Introduction

The Department of Public Utilities (“Department”) has a dual role of ensuring that regulated industries provide quality service at reasonable rates and promoting public safety. Public safety, particularly in the natural gas pipeline and transportation industries, is the Department’s most important responsibility.

As of April 11, 2007, the Department is overseen by a three-member Commission appointed by the Governor. The Governor designates one of the Commissioners as Chairman. The Department’s responsibilities include establishing rates and ensuring service quality for the investor-owned electric power, natural gas and water industries. The Department also plays a role in setting rates in the transportation industry. The Department does not regulate the rates or services of other public agencies, such as municipal electric companies or water authorities.

Over the past decade, the energy industry has experienced significant changes in technology, market structure, and regulatory policy. Some of these changes are driven by state law, particularly in the electric industry. The Department has devoted significant efforts to establishing structural conditions and economic policies that allow for the development of efficient competitive markets, wherever they are feasible.

Other changes have resulted from federal law and regulation. To protect Massachusetts customers’ interests, the Department has increased its involvement in the federal policy-making process, both individually and as an active participant in the New England Conference of Public Utility Commissioners and the National Association of Regulatory Utility Commissioners.

This report summarizes the responsibilities of the various staff divisions within the Department, provides information regarding the day-to-day functions of the agency and major activities and accomplishments during 2007.

Electric Power Division

Overview

The Electric Power Division's ("EPD") responsibilities fall under three categories: (1) the operation of the retail power supply markets in MA, both the competitive services provided by licensed competitive suppliers and electricity brokers, and the regulated services provided by the electric distribution companies;¹ (2) the deployment of demand-side and renewable resources; and (3) the provision of safe and reliable distribution service by the electric companies.

Retail Power Supply Markets

Chapter 164 of the Acts of 1977 (the "Electric Restructuring Act" or "Act") - introduced competition into the retail power supply component of electric service.² Prior to the Act, all components of electric service were provided as monopoly services by the electric distribution companies (i.e., customers had no choice but to purchase all components of their electric supply from their electric companies). The Act "restructured" the retail electric industry in that customers now have the option to purchase their retail power supply from the competitive power supply market.³

Competitive Power Supply Service

Consistent with the objectives of the Restructuring Act, the Department's goal is to provide electricity customers with a broad choice of competitive supply options, in order to allow customers to fully realize the benefits of the restructured electric industry. The Department grants licenses to qualified entities to serve as competitive suppliers⁴ and electricity

¹ The electric distribution companies in Massachusetts are: Fitchburg Gas and Electric Light Company; Massachusetts Electric Company and Nantucket Electric Company ("National Grid"); Boston Edison Company, Cambridge Electric Light Company, and Commonwealth Electric Company ("NSTAR Electric"); and Western Massachusetts Electric Company.

² The other components of electric service are (1) transmission, (2) distribution, and (3) customer service.

³ The remaining components of electric service continue to be provided as monopoly services by the distribution companies.

⁴ Competitive suppliers are entities that purchase electric output from generation facilities at the wholesale level, and sell the electricity to consumers at retail.

brokers⁵ in the restructured industry. EPD staff review license applications to determine whether the applicant has demonstrated, among other things, the financial and technical capability to provide the applicable services. During 2007, the Department approved licenses for 6 competitive suppliers and 12 electricity brokers. As of year-end 2007, there were 35 licensed competitive suppliers and 83 licensed electricity brokers in Massachusetts. These suppliers and brokers provide services primarily to large and medium-sized commercial customers.

The Restructuring Act established special provisions for a municipality (or group of municipalities) that seeks to aggregate the electrical load of customers located within its municipal boundary for the purpose of purchasing competitive power supply. A municipality that seeks to implement a “municipal aggregation” plan must receive Department approval. In 2007, the Department approved a municipal aggregation plan for the Town of Marlborough. The Department previously had approved the Cape Light Compact’s municipal aggregation program for electricity consumers located within the cities and towns on Cape Cod.

The manner in which customer-related data is transferred between the distribution companies and competitive suppliers is governed by a set of rules known as the Electric Business Transactions (“EBT”) Standards. An EBT Working Group meets on an on-going basis to ensure that the standards evolve in a manner consistent with the needs of the competitive market. EPD staff participates in the Working Group.

Basic Service

Basic service, formerly known as “default service,” is the retail power supply service that each electric distribution company provides to customers not receiving such service from the competitive market. Each distribution company procures power supply for its basic service customers from the wholesale electricity markets through competitive solicitation processes.

For its residential and small commercial and industrial (“C&I”) customers, each distribution company issues a Request For Proposals (“RFP”) for basic service supply on a semi-annual basis. Each solicitation procures 50 percent of the company’s basic service supply requirement for these customers for a twelve-month term. As such, at any point in time, basic service rates for residential and small C&I customers are based on the winning bid prices from the two most recent solicitations.

For its medium and large C&I customers, a distribution company issues an RFP solicitations for basic service supply on a quarterly basis. Each solicitation procures 100 percent of the company’s basic service supply requirement for these customers for a three-month term.

⁵ Electricity brokers are entities that facilitate or arrange for the sale of electricity to customers, acting as “middlemen” between suppliers and customers.

In addition to procuring power supply for its basic service customers, each distribution company must comply with the state's Renewable Portfolio Standards ("RPS"). During 2007, RPS required that competitive suppliers (including distribution companies) providing basic service, must include three percent of renewable energy resources in its portfolio of supply resources.

EPD staff reviews each company's solicitations to ensure that they (i) comply with the Department's rules and regulations, and (ii) are sufficiently competitive such that the results of the solicitations are consistent with prevailing market conditions.

Deployment of Demand and Renewable Resources

Demand resources are resource such as energy efficiency, distributed generation, and demand response that are located on the "customer side of the meter." The benefits associated with demand resources, which have increased significantly in recent years because of the surge in energy prices, are twofold: (1) they offer customers an opportunity to lower their electricity consumption and thus reduce their electric bills; and (2) they can place downward pressure on wholesale energy prices by reducing overall customer demand for electricity. In 2007, the Department initiated a proceeding to investigate a "decoupling" ratemaking mechanism that would remove the disincentive that the electric distribution companies currently face regarding the deployment of demand resources in their service territories.

Energy Efficiency Resources

Electric distribution companies have administered and implemented ratepayer-funded energy efficiency programs for over the 20 years. The Restructuring Act established a cents per kilowatt-hour ("kWh") systems benefits charge ("SBC") that has determined the budget for these programs for the past 10 years. In 2007, the SBC was set at 0.25 cents per KWH, which establishes an overall statewide budget equal to approximately \$125 million

Pursuant to the Act, EPD staff reviews each distribution company's programs to ensure that they: (1) are implemented in a cost effective manner (i.e., that the benefits to be realized from implementation of the programs exceed the program costs), consistent with the Department's Energy Efficiency Guidelines; and (2) utilize competitive procurement processes to the greatest extent possible.

Distributed Generation

Distributed generation refers to customer-owned generation that serves all or part of the customer's electricity load, thereby reducing that customer's use of electric power from the regional grid and the distribution system. The Department's oversight of distribution generation relates to two areas: (1) the interconnection standards that apply to distributed generation facilities; and (2) the stand-by, or back-up, rates that apply to customers that install these types of facilities. Pursuant to Department directive, interested parties have established a "Massachusetts Distributed Generation Interconnection Collaborative" to develop, among

other things, a Model Interconnection Tariff. The Department approved the initial tariff in 2004. In 2007, the Department approved the Collaborative's proposed revisions to this tariff.

In 2007, the Department opened an investigation into standby rates, in order to promote the efficient deployment of distributed generation.

Renewable Resources

In 2007, NSTAR Electric submitted a proposal to (1) enter into long-term contracts to purchase wind power and associated renewable energy certificates from two wind facilities, and (2) provide a renewable energy power supply program for its basic service customers. EPD staff reviewed the proposed contracts and power supply program to ensure that they were consistent with the Department's precedents on these issues, and in the best interest of the company's customers. The Department approved the company's proposal in April 2008.

Distribution Service Quality and Reliability

The Electric Power Division is the division within the Department responsible for ensuring that the MA electric companies provide their customers with safe and reliable distribution service. EPD discharges this responsibility through three primary tools. First, we require the electric companies submit periodic reports on issues related to distribution service quality and reliability a regular basis. Second, we require that the companies provide us with real-time information regarding significant power outage that occurs on their distribution systems. Finally, we review the companies' annual service quality reports to determine if a penalty is warranted.

Reporting Requirements

The Department requires each electric distribution company to periodically file reports below on issues related to distribution service quality and reliability. EPD staff reviews these reports and meets with the companies, as necessary, to ensure that the companies' actions are consistent with Department requirements.

Annual Reliability Report, which includes an analysis of its distribution system, including (1) a ten-year load growth forecast capable of identifying high-growth zones; (2) a description of the company's transmission and distribution design and planning criteria and an explanation of how those criteria are applied; (3) a distribution system operating study focused on contingency management; and (4) an update to corrective actions and capital investments planned for the next five years.

Annual Storm and Emergency Restoration Report, which details the company's plans to respond to events that may occur during hurricane season.

Quarterly Outage Report, which summarizes all significant outages, and the actions taken or planned to mitigate any evident problems.

Quarterly Stray Voltage and Manhole Safety Report, which describes each company's practices with regard to stray voltage and manhole issues.

Semi-annual Double Pole Reports that detail the companies' efforts to address the double pole issue.

Reporting of Outage Events

The Department requires that each electric distribution company provide us with information, on a real-time basis, regarding significant power outages that occur on its distribution system. These companies report this information through the internet-based Outage Reporting Protocol ("ORP") system. Within 30 minutes of a significant outage, the ORP system transmits data to the Electric Power Division including (i) the location of the outage; (ii) number of customers affected; (iii) number of circuits affected or out-of-service; (iv) likely cause; (v) any bodily injury; and (vi) whether a critical facility, such as a hospital, is involved.

EPD staff monitors ORP data daily, and responds to reports of significant and/or frequent interruptions to customers.

Service Quality Standards

The Department requires that each electric distribution company submit an annual service quality report that details how the company has performed with respect to standards established in the Department's Service Quality Guidelines. A major component of these Guidelines relates to companies' performance regarding the frequency and duration of outages during the previous year, both on a system-wide and circuit-specific level. EPD staff reviews each electric company's service quality report to evaluate the companies' performance. A company can incur a penalty of up to two percent of its distribution and transmission revenue if its service quality performance degrades in comparison to historic benchmark performance levels.

Natural Gas Division

Overview

The Natural Gas Division (“Gas Division”) provides technical support to the Department in the regulation of the state’s nine investor-owned natural gas companies (also called “local distribution companies” or “LDCs”).⁶ In total, these companies serve approximately 1.46 million gas customers, and have combined operating revenues of approximately \$2.69 billion.

Over the last several years, the Gas Division has worked to promote competition in the local gas distribution industry through the “unbundling” of rates. The Gas Division has brought about regulatory changes that provide gas customers with opportunities to participate in a competitive gas market, while maintaining traditional consumer protections.

The Gas Division has the authority and the responsibility to:

- Review LDCs’ forecast-and-supply plans and long-term gas supply contracts;
- Review non-tariff contracts for the sale and transportation of natural gas;
- Review the appropriateness and accuracy of LDC filings made pursuant to the Cost of Gas Adjustment Clause (“CGAC”) and the Local Distribution Adjustment Clause (“LDAC”);
- Review LDCs’ energy efficiency plans;
- Assist the Rates and Revenue Requirements Division in base rate, merger, and financing filings;
- Review LDCs’ service quality filings;
- License gas suppliers and retail agents; and
- Review and, where appropriate, intervene in federal regulatory proceedings and activities that affect the interests of gas consumers in the Commonwealth.

⁶ The LDCs in Massachusetts are: Bay State Gas Company, The Berkshire Gas Company, Blackstone Gas Company, Fitchburg Gas and Electric Light Company, KeySpan Energy Delivery New England (formerly Boston/Colonial/Essex Gas Company), New England Gas Company (Fall River Gas Service Area and North Attleboro Gas Service Area), and NSTAR Gas Company.

Natural Gas Division Responsibilities

Review of Forecast and Supply Plans

LDCs must submit a five-year Forecast and Supply Plan to the Department for approval every two years. In its review of the forecast component, the Gas Division determines whether the company has accurately projected the gas requirements of the company's service area. A forecast must contain accurate and complete historical data and employ reasonable statistical projection methods. In its review of the supply plan, the Division must determine whether the plan is adequate to meet projected customer demand under a range of contingencies. During 2007, the Gas Division reviewed two forecast and supply plans.

Review of Long-Term Gas Supply Contracts

LDCs must submit all supply contracts with terms longer than one year to the Department for review and approval. Long-term supply contracts include both gas commodity (the natural gas itself) and capacity (the pipeline required to transport the natural gas from the production areas to the LDC's distribution system). In evaluating a gas company's proposed contract for commodity or capacity, the Gas Division examines whether acquisition of the resource would be consistent with the public interest. To do so, the Gas Division determines whether the LDC has shown that the acquisition (1) would be consistent with the company's portfolio objectives, and (2) would compare favorably to the range of options reasonably available to the company and its customers. During 2007, the Gas Division reviewed three long-term supply contracts.

Review of Non-Tariff Contracts

Large commercial and industrial gas customers capable of burning alternative fuels, such as oil or coal, sometimes find that their gas companies' Department-approved tariffs are not competitive with alternative fuel options. To retain these customers and assure a continued stream of revenue, LDCs may offer them non-tariff contracts, subject to Department approval. In its review, Gas Division staff ensures that (1) the customer is capable of burning an alternative fuel; (2) the price charged under the contract exceeds the marginal cost of providing this service; and (3) the company's existing ratepayers are not responsible for any of the costs associated with providing the specified service. In 2007, the Gas Division reviewed 31 non-tariff contracts.

Review of Requests for Cost Adjustments

Department regulations allow gas companies to recover costs incurred for the purchase, storage and interstate transportation of gas (referred to as “gas supply costs”). Gas commodity costs typically fluctuate seasonally. Through semi-annual cost-of-gas adjustment filings, LDCs request billing changes that enable them to reconcile these fluctuations. The Gas Division reviews these filings to ensure accounting accuracy and prudent company practices, and approves adjustments to billings via the Cost of Gas Adjustment Factor. In 2001, the Department amended its regulations to require gas companies to make interim filings for recovery of gas supply costs, when projected under- or over-collections exceed five percent. These adjustments help reduce the impact on customers’ bills when there are significant changes in gas supply costs. During 2007, the Gas Division reviewed 23 requests for cost adjustments.

Similarly, Department regulations allow a gas company to recover, or credit on a reconciling basis, a variety of costs that have been determined to be distribution-related but are not included in base rates.⁷ The charge used to recover all of these costs is referred to as the Local Distribution Adjustment Factor (“LDAF”). Examples of recoverable expenses include the costs of energy efficiency programs and costs related to the federal restructuring of the gas industry. LDCs can also recover costs associated with federal and state mandated cleanups of past contamination at sites polluted by wastes from gas manufacturing plants. Although most gas manufacturing plants in Massachusetts ceased operations by the early 1950s, their wastes continue to present environmental hazards. The Gas Division reviews all company requests for adjustments via the LDAF to ensure accounting accuracy and prudent company practices. During 2007, the Gas Division reviewed 20 LDAF requests.

Review of Energy Efficiency Plans

Since 1992, the Department has required LDCs to develop energy efficiency plans that bring cost savings to consumers and reduce the overall need for gas. The companies’ plans typically include weatherization service programs (offering energy audits, attic insulation, wall insulation, air sealing, and heating system repairs) and rebates for the installation of clock thermostats or for the replacement of boilers, furnaces, and water heaters with high-efficiency units. Gas companies must submit energy efficiency plans to the Division, which reviews the proposed programs to ensure cost effectiveness. The companies can then recover energy efficiency-related costs via the LDAF. In 2007, the Division reviewed two energy efficiency plans.

⁷ Base rates are designed to recover distribution-related costs (i.e., the costs to operate the LDC), including plant and equipment, labor, taxes, interest on borrowed funds, return on investment, billing, metering, and customer service.

Cooperation with the Rates and Revenue Requirements Division

The Gas Division works closely with the Rates and Revenue Requirements Division to review various rate case filings and merger and acquisition petitions. In traditional rate cases, Gas Division staff is responsible for reviewing the terms and conditions of distribution service, the allocation of local production and storage costs, weather normalization, gas-related cash working capital, marginal costs, and the treatment of revenues from off-tariff contracts. As the gas industry makes the transition to a competitive supply environment, the Department will continue to require gas companies to provide least cost distribution service, but this requirement will be implemented through performance-based regulation (“PBR”). PBR refers to the use of incentives and price caps as a means of setting utility rates – in contrast to traditional rate-of-return rate making, which is based on a company’s cost of service. An important feature of PBR is a service quality program, which ensures that companies will not compromise service through insufficient expenditures on customer service activities. In 2007, the Gas Division participated in the Department’s review of four rate case filings.

Review of Service Quality Filings

In June 2001, the Department issued an order finalizing service quality standards for all gas and electric distribution companies. The order established performance measures for customer service, billing, customer satisfaction, staffing levels, safety, and reliability. Pursuant to this order, the LDCs filed company specific service quality plans for Department review, which the Department approved in the Spring of 2002. Each gas company filed a service quality report in March 2006 (and must do so every March), comparing its actual performance against the service quality standards established by the Department. The Gas Division is responsible for the review of all gas service quality plans to ensure that the companies maintain a minimum quality of service. During 2007, the Division reviewed nine service quality plans.

Licensing of Gas Suppliers and Retail Agents

Massachusetts customers may choose a gas supplier other than the LDC serving the customer’s neighborhood. This allows customers to comparison shop and negotiate for the best value in gas commodity from competitive suppliers. However, the price charged by these competitive suppliers for natural gas is not regulated. Instead, competitive gas suppliers set their own prices, just like the sellers of most goods and services in the marketplace.

Gas suppliers and retail agents wishing to sell natural gas to Massachusetts retail customers must be certified by the Department on an annual basis. The Gas Division reviews the applications for these licenses and conducts interviews with the applicants. Staff determines whether the applicants have the technical ability to procure and deliver natural gas, and whether they are familiar with the Department’s rules and the gas industry in general. The Division also evaluates documentation of the applicant’s financial capability, such as the level of capitalization or corporate backing, to provide the proposed services. In 2007, the

Department reviewed 25 applications and approved 11 gas suppliers and 14 retail agents. Currently there are 15 gas suppliers and 23 retail agents in the Commonwealth.

Participation in Federal Policy-Making

Over the past decade, actions taken by FERC, the federal Department of Energy, and Congress have dramatically changed federal regulation of the natural gas industry. These changes directly affect the interests of Massachusetts customers who are served by federally regulated pipelines and liquefied natural gas (“LNG”) import terminals. Division staff works with other state agencies and regional organizations to stay informed regarding current federal statutory and regulatory proposals, and to develop public positions on issues that may affect Commonwealth interests.

Public Information and Review of Consumer Complaints

Gas Division staff provides information and assistance on a daily basis to consumers, government officials, marketers, regulated companies, consultants and financial analysts. In addition, Gas Division staff assists the Department’s Consumer Division in addressing gas-related consumer issues.

Competitive Gas Supply and Unbundling Initiatives

In the mid-1980s, FERC began to introduce more competition into the wholesale gas industry by allowing the customers of interstate gas pipelines, primarily LDCs and some large industrial consumers, to procure their gas supplies separately from the pipeline services that transport the gas. Previously, the pipeline companies “bundled” the price of the gas commodity and the transportation services together into one rate. To enable gas customers to buy gas from competing suppliers, FERC required all interstate pipelines to “unbundle” gas transportation from gas sales, and to offer the transportation component at a separate rate.

In Massachusetts, the Department determined that if the benefits of FERC’s actions were to fully accrue to Massachusetts gas consumers, these consumers must similarly have the opportunity to purchase gas from sources other than an LDC. As a first step, the Department directed all Massachusetts LDCs to file gas transportation rates for their large customers. Beginning in 1988, large gas customers in the Commonwealth began to purchase gas from suppliers other than LDCs. Since the early 1990s, the Department has been active in implementing new policies so that the benefits of the competition created by FERC could reach additional LDC customers. As a result, all LDCs in Massachusetts offered unbundled rates, allowing most of their commercial and industrial customers to choose their own gas supplier at competitive commodity rates.

Moreover, the Department determined that the benefits of competition should be extended to all customers, including residential customers. The Department’s ultimate objective throughout its unbundling efforts has been to provide the opportunity for the residential and smaller commercial and industrial users of natural gas to benefit from lower

commodity prices while maintaining the traditional consumer protections that have been the hallmark of Department regulation. The separation of the sale of the gas commodity is necessary to provide customers with accurate price signals and the ability to choose and purchase gas supplies separately from distribution services. Since November of 2000, with the approval of the unbundling regulations and terms and conditions for gas transportation service, residential customers are able to choose their own gas supplier. This change allows customers to comparison shop and negotiate for the best value in gas commodity from competitive suppliers.

2007 Gas Division Accomplishments

During 2007, the Gas Division reviewed:

- Two forecast and supply plan filings.
- Three long-term gas supply contracts.
- 31 non-tariff contracts for the sale and transportation of natural gas (firm service, quasi-firm service).
- 23 gas-cost-recovery filings pursuant to the CGAC.
- 20 cost recovery filings pursuant to the LDAC.
- Two energy efficiency filings, as well as ten residential energy conservation service program filings.
- Nine service quality plans.
- 25 applications for the licensing of gas suppliers and gas retail agents.

Rates and Revenue Requirements Division

Overview

The Rates and Revenue Requirements Division (“Rates Division”) is responsible for providing the technical expertise the Department needs to determine the appropriate levels of revenues, rates and charges for the seven investor-owned electric companies, nine investor-owned gas companies and nineteen investor-owned water companies in the Commonwealth. The technical support provided by the Rates Division includes expertise in economics, finance, accounting, and public policy.

The Rates Division staff assists the Department's Legal Division in developing the evidentiary record in adjudicatory proceedings concerning the rates and finances of the investor-owned natural gas, electric, and water companies doing business in Massachusetts. The Department's decisions in these proceedings are directly appealable to the Supreme Judicial Court under G.L. c. 25, § 5.

The regulation of the natural gas, electric, and water industries requires the Rates Division to:

- Review electric utility restructuring related filings including: reconciliation of standard offer service, basic/default service, transmission, and transition costs and revenues; basic/default service procurement and billing; securitization; and divestiture of generation assets and power contracts;
- Review requests to change base rates through either cost-of-service regulation or PBR;
- Review financing requests;
- Review service quality plans;
- Review mergers and acquisitions;
- Coordinate the assessment of electric and gas utilities;
- Review retail electric contracts;
- Review municipal streetlight purchase disputes;
- Provide information and assistance to the public, government agencies, press, industry, and other government officials.

Division Responsibilities

Review of Electric Utility Restructuring-Related Filings

As part of the continued implementation of the Electric Restructuring Act, the Department annually conducts a reconciliation, or “true-up,” for each electric company. Under the Electric Restructuring Act, each electric distribution company may collect stranded or transition costs, which cannot be mitigated. In a true-up, the Rates Division evaluates the costs and revenues that each electric distribution company proposes to reconcile through the transition charge. The Rates Division's analysis results in an Order that may require adjustments to the calculation of a company's transition charge in the following year. These adjustments are based on the Department's determination that a company has either over-collected or under-collected its allowed transition charge expenses.

In a true-up, the Rates Division also reviews each of the electric distribution companies' costs and rates for providing basic/default service, and transmission service. The distribution companies are allowed dollar-for-dollar recovery for providing such services.

Pursuant to the Electric Restructuring Act, the Rates Division also reviews the competitive pricing and procurement of basic (formerly called “default”) service load by the electric distribution companies, and ensures they are in compliance with the Department's directives. In addition, the Rates Division reviews proposals from the electric companies to securitize assets in order to obtain lower financing costs, divest generation assets and purchased power contracts to mitigate stranded costs, and resolve streetlight purchase disputes. In each of these cases, the Rates Division must ensure that the outcome conforms with the intent of the Electric Restructuring Act and each company's restructuring plan.

Review of Requests To Change Base Rates

The Rates Division investigates petitions to change base rates by: reviewing initial filings; participating in informal technical conferences; issuing information requests; drafting pre-hearing memoranda for the Commission; cross-examining company and intervenor witnesses during hearings; developing and discussing with the Commission various options for resolution of issues; and preparing draft Orders for Commission review.

Changes to base rates are based on either traditional cost-of-service regulation or Performance Based Rates (“PBR”). Establishing rates under PBR typically requires a determination of cost-of-service rates (using traditional cost-of-service regulation), and establishing a rate adjustment formula based on industry productivity factors, inflation factors, and service quality measures. In 2007, the Rates Division was responsible for ensuring that the PBR compliance filings from Bay State Gas Company, Blackstone Gas Company, The Berkshire Gas Company, Boston Gas Company d/b/a Keyspan Energy Delivery New England, Massachusetts Electric Company and Nantucket Electric Company were in compliance with directives included in each of the companies' last base rate proceedings. Further, staff reviewed a distribution rate settlement filing for the New England Gas Company.

For water companies, the traditional review of rate cases through adjudicatory proceedings is not always cost-effective because the administrative costs of preparing and litigating a rate case for a small water company can equal or exceed the rate relief sought. To streamline the regulatory process, the Department has created a settlement intervention staff (“SIS”) that independently reviews rate requests and conducts off-the-record negotiations with water company officials and intervenors. The SIS has no direct communication with the Commission regarding pending cases. SIS and the other parties on the case may submit a proposed rate settlement to the Commission. An adjudicatory team comprised of Rates Division and Legal Division staff review the settlement and make recommendations to the Commission. The Commission may either approve the settlement, return it to the settling parties with suggested modifications, or reject it with or without subsequent evidentiary hearings. To date, this process has saved the Department, water companies, and ratepayers considerable amounts of time, resources, and expenses.

The Department’s regulatory authority over investor-owned water systems is in certain areas concurrent with that of the Massachusetts Department of Environmental Protection (“MDEP”). In situations where cross-over issues are involved, such as in water conservation and adequacy of service, Rates Division staff work with staff at the MDEP to ensure that the provisions of the agencies’ respective duties are implemented in a harmonious manner.

Review of Requests to Change Reconciling Rates

In addition to reviewing base rates, the Rates Division is responsible for reviewing proposed changes to a company’s rate components that are fully reconciling (*i.e.*, where dollar-for-dollar recovery is intended). These include the pension and post-retirement benefit adjustment factors for Bay State Gas Company, Boston Gas Company, the NSTAR gas and electric companies, and Fitchburg Gas and Electric Light Company. The annual cable surcharge for Nantucket Electric Company is also a reconciling rate mechanism that is reviewed by the Rates Division. Each of the electric and gas distribution companies charges a Residential Assistance Adjustment Factor which is designed to recover costs related to low-income discounts and arrearage management programs.

Review of Financing Requests

The Rates Division also is responsible for the review of financing cases. Financing cases relate to company proposals for the issuance of debt or equity securities, as well as investment of funds or guaranteeing the indebtedness of other companies. The primary focus in such cases is to carry out statutory mandates that require utilities to issue only those securities reasonably necessary for utility operations and to have sufficient net plant (*i.e.*, undepreciated assets in rate base) to ensure sound securities.

Review of Service Quality Plans

In 2001, the Department established service quality standards for all electric and gas utilities. Service Quality, D.T.E. 99-84. The Rates Division assists the Electric Power and

Gas Divisions in the annual review of the compliance filings of the electric and gas companies to determine whether the electric and gas companies have met the service quality standards and, if not, the appropriate penalties to be assessed.

In 2007, the Department issued revised service quality standards originally established in D.T.E. 99-84. Investigation into Service Quality Guidelines, D.T.E. 04-116.

Review of Mergers and Acquisitions

Pursuant to G.L. c. 164, § 96, the Rates Division reviews all intrastate merger and acquisition proposals that are filed with the Department to determine if they are in the best interest of ratepayers. The Rates Division analyzes: the proposal's effect on rates, service quality, net savings, and competition; the financial integrity of the post merger entity; the fairness in the distribution of resulting benefits between shareholders and ratepayers; and societal effects such as job loss and economic development. The Rates Division also analyzes alternatives to the merger, as well as any accompanying rate plans. In 2007, the Rates Division assisted in the investigation of National Grid's acquisition of Keyspan.

Coordination of Annual Assessments

Pursuant to G.L. c. 25, § 18, electric, gas and telecommunications companies that do business in Massachusetts are subject to an annual assessment on a percentage of their intrastate revenues. The Rates Division is responsible for gathering the revenue figures for the electric and gas utilities.

Review of Retail Electric Contracts

The Rates Division is responsible for the mandatory review of negotiated electric contracts between electric distribution companies and retail customers. Such contracts are evaluated to ensure consistency with Department standards. The onset of generation service competition for industrial customers in the electric utility industry has reduced the need for electric contracts in recent years.

Review of Utility Accounting Matters

Utility companies are required to maintain their books in accordance with Department regulation. To maintain uniformity of accounting, utilities are required to submit questions concerning the appropriate interpretation of the Department's accounting regulations to the Department. During 2007, Rates Division staff received and responded to a number of accounting questions from utilities, primarily from municipally operated systems and water companies. The Rates Division also reviews requests involving accounting practices, including requests by companies to defer expenses on their books for later review in a rate proceeding.

Review of Municipal Depreciation Requests

Pursuant to G.L. c. 164, § 57, municipal utilities are permitted to include in their rates an annual provision for depreciation expense equal to three percent of depreciable plant (plant less land and land rights), unless otherwise permitted by the Department. Because municipal utilities rely on depreciation funds as a source of funds for plant improvements and expansions without resorting to outside financing, municipal utilities may seek permission to increase their depreciation rate for a particular year. During 2007, the Rates Division evaluated and approved twelve requests for increases in municipal depreciation rates.

Review of Consumer Complaints

The Rates Division provides assistance to the Department's Consumer Division in the review of rate and billing disputes by residential customers. In addition, because billing disputes by commercial and industrial customers are not generally handled by the Consumer Division, the Rates Division has, at times, provided informal assistance in resolving these billing disputes, primarily through review and interpretation of the applicable tariffs.

Public Information

Another important responsibility of the Rates Division is to provide timely and accurate information to the public regarding activities in the electric, gas, and water industries. This task requires working with other regulatory agencies, consumer groups, public interest groups, power suppliers, and utility companies to help them understand Department regulations and policies. The Rates Division also assists in the development of agency regulations to address the changing circumstances in the utility industry such as electric industry restructuring, gas unbundling, and new financial accounting standards. The Rates Division also works with the Department's Consumer Division to respond to consumer complaints and to draft policy recommendations regarding consumer issues.

Precedent, Policies, and Practice

When a company does not have a PBR, the Department sets rates using cost-of-service pricing principles where electric, gas and water rates are based upon the cost to serve various classes of ratepayers. Under cost-of-service pricing, the Rates Division reviews the costs incurred by utility companies during a historic test year adjusted for known and measurable changes to determine the reasonableness of such costs and to determine whether they were prudently incurred. The categories of costs include company annual operation and maintenance expenses, capital investments, and rates of return for shareholders (*i.e.*, the return on equity). Appropriate annual expenses plus a return on undepreciated rate base (*i.e.*, a return on net capital investment) make up the company's "cost of service" or the "revenue requirement" upon which rate structures must be designed to recover.

Once the company's cost of service has been determined, a rate structure must be established that affords the company a reasonable opportunity to earn its allowed rate of return

while meeting other policy goals. Rate structure is the level and pattern of prices that customers are charged for the use of utility services. A customer class rate structure is a function of the cost of serving that rate class and the design of rates calculated to cover that cost. In setting rates, the Department balances its goals for utility rate structure are economic efficiency, continuity, fairness, earnings stability, and simplicity.

2007 Rates Division Accomplishments

The Rates Division actively participated in the following major dockets in calendar year 2007:

- Decoupling, D.P.U. 07-50; Continuing investigation by the Department into revised methods to design rates that would compensate electric and gas distribution companies for fluctuations in revenues due to energy conservation.
- Bay State Gas Company, D.P.U. 07-89; Proposed rate increase due to decline in average use per customer and steel infrastructure replacement, final Order issued April 30, 2008 denying the Company's request.
- New England Gas Company, D.P.U. 07-46; Filed settlement in lieu of rate case on June 8, 2007 (\$2,200,739 increase effective August 1, 2007, and second increase of \$2,000,000 effective April 1, 2008); settlement approved July 31, 2007.
- Fitchburg Gas and Electric Light Company, D.P.U. 07-71; filed August 17, 2007 for electric division increase of \$3,307,785 (4.7%); final order issued February 29, 2008 granting an increase of \$2,116,602.
- NSTAR Electric Company Default Service Costs Adder, D.T.E.07-04 February 6, 2007, NSTAR filed proposal to implement its Default Service Costs Adder of \$0.00139 per KWH; proceeding is ongoing.
- NSTAR Electric Company - Wind Power Contracts, D.P.U. 07-64; Filed July 24, 2007, NSTAR Electric requesting approval of two ten-year wind-power contracts providing a total of 60 MW of renewable generation supply to the Company's residential and small commercial and industrial basic service customers; in addition, NSTAR Electric is proposing to establish the NSTAR Green program associated with wind generation; Order issued on April 30, 2008.

The Rates Division undertook the following water rate cases:

- Assabet Water Company, D.T.E./D.P.U. 07-29. Filed March 23, 2007 for a \$77,486 rate increase (82.15 percent); interim increase granted July 30, 2007 of \$46,951 (49.8 percent); a final order was issued December 20, 2007.
- Dover Water Company, D.P.U. 07-63: Filed July 17, 2007 for a \$284,415 rate increase (66.41 percent); a settlement was approved May 30, 2008 for an increase of \$266,417 (62.39 percent).
- Housatonic Water Works, D.T.E./D.P.U. 07-28 Filed March 16, 2007 for a \$153,289 rate increase (35.43 percent); a settlement was approved January 30, 2008 for an increase of \$133,189 (30.78 percent).
- Plymouth Water Company, D.T.E./D.P.U. 06-63; Filed June 16, 2006 for a \$378,964 (121.6 percent) rate increase; an increase of \$136,213 (45.1 percent) was granted on April 30, 2007.
- Westport Harbor Aqueduct, D.T.E./D.P.U. 07-27: Filed March 13, 2007 for a \$11,200 (57.74 percent) rate increase; a settlement granting an increase of \$11,200 was approved June 21, 2007.
- Whitinsville Water Company, D.T.E./D.P.U. 06-64: filed July 16, 2006 for a \$490,575 (33.69 percent) rate increase; a settlement granting an increase of \$400,598 was approved February 9, 2007.

The Rates Division undertook the following financing cases:

- Western Massachusetts Electric Company, D.T.E. 06-86; requesting approval for the authority to issue up to \$60 million in long-term debt; final order issued February 2, 2007.
- Assabet Water Company, D.P.U. 07-34; requesting approval for the authority to issue up to \$1,210,000 in long-term debt; final order issued June 17, 2007.
- NSTAR Electric Company, D.T.E. 07-43; requesting approval for the authority to issue up to \$400 million in long-term debt; final order issued August 9, 2007.
- Dover Water Company, D.P.U. 07-54; requesting approval for the authority to issue up to \$1,200,000 in long-term debt; final order issued September 24, 2007.
- Plymouth Water Company, D.P.U. 07-66; requesting approval for the authority to issue 435 shares of common stock; final order issued May 30, 2008.

Energy Facilities Siting Board and Department Siting Division

Overview

The Energy Facilities Siting Board (“Siting Board”) is a nine-member review board charged with ensuring “a reliable energy supply for the Commonwealth with a minimum impact on the environment at the lowest possible cost.” The Siting Board’s primary function is to license the construction of major energy infrastructure in Massachusetts, including large power plants, electric transmission lines, natural gas pipelines and natural gas storage facilities. The Siting Board also has the authority to remove regulatory obstacles to the construction of energy infrastructure by issuing, or altering the terms of, other state and local permits.

Administratively, the Siting Board is located within the Department, but is not subject to Department supervision or control. The nine-member Board is comprised of the Secretary of Energy and Environmental Affairs, who is the Chairman of the Board, the Secretary of Housing and Economic Development, the Commissioner of the Department of Environmental Protection, the Commissioner of the Division of Energy Resources, two commissioners of the commonwealth utilities commission, and three public members appointed by the Governor for a term coterminous with that of the Governor.

The Siting Board is staffed by members of the Department’s Siting Division. Siting Division responsibilities to the Siting Board and to the Department require its staff to:

- Adjudicate petitions to site and construct major energy infrastructure
- Represent the Commonwealth in proceedings before FERC with respect to energy facilities to be sited in Massachusetts
- Adjudicate petitions by public service corporations for exemptions from local zoning requirements
- Adjudicate petitions by utility companies for eminent domain and for land survey access
- Adjudicate petitions for override of state and local permits, licenses, or other requirements
- Adjudicate petitions by electric companies for approval to construct transmission lines
- Enforce decisions of the Siting Board through the issuance of orders and civil penalties.

A list of Siting Board decisions, Department Siting Division orders and Siting Board federal agency filings is attached as Appendix 1.

Siting Board Responsibilities

Energy Facility Review

The Siting Board reviews petitions to construct major new energy infrastructure, including power plants, electric transmission lines, natural gas pipelines and natural gas storage facilities. G.L. c. 164, §§ 69G-S. Siting Board review is conducted by means of a formal adjudicatory proceeding in accordance with G.L. c. 30A. Final decisions of the Siting Board are appealable directly to the Massachusetts Supreme Judicial Court.

The Siting Board's review of most types of energy infrastructure encompasses the need for the facility, alternative means of meeting that need, alternative sites, and environmental impacts and cost; however, due in part to the 1997 Electric Restructuring Act, the Board's review of power plants generally is limited to potential environmental impacts. The Siting Board's environmental review covers a broad range of issues, including potential impacts on air quality, land use, water resources, noise, health, and cost. The Siting Board's environmental review also examines measures that may be taken to mitigate environmental impacts. Siting Board decisions typically represent a balancing of local and regional environmental impacts and the benefits of the project in terms of contributing to a reliable energy supply.

Between 1996 and 2001, the Siting Board reviewed and approved thirteen new power plants and power plant expansions in Massachusetts. Of these, eight have been completed and are in operation. Each plant has been required to mitigate its environmental impacts, to the extent that it was shown cost-effective to do so.

From 2001 through late 2006, the Siting Board's caseload shifted from reviews of new power plant proposals to reviews of proposals for supporting infrastructure, such as the gas pipelines and electric transmission lines largely designed to support the new power plants and the regional transmission grid. In late 2006, however, the Siting Board's caseload began to shift back to the review of new power plant proposals.

In early 2008, the Siting Board approved the petition of Braintree Municipal Light Department to construct a 116 MW peaking facility in Braintree. The proposed plant, expected to be on line in 2009, is dual fuel (natural gas and ultra-low sulfur diesel oil) and has the capability to operate when needed to attain full load in less than ten minutes. At the time the Company filed its petition with the Siting Board, the Company also filed a petition with the Department requesting an exemption from certain provisions of the Town of Braintree zoning bylaws. As allowed by statute, the Chairman of the Department referred this petition to the Siting Board for review and decision in conjunction with the generating facility petition. The Siting Board approved the Braintree facility subject to several conditions including those related to CO₂ emissions, water use, visual mitigation, noise mitigation, safety, traffic and

electric and magnetic fields. The Siting Board also granted Braintree Electric Light Department exemption from certain provisions of the Town of Braintree zoning bylaws.

Three other generating facility petitions (in Ludlow, Billerica and Brockton) are currently pending before the Siting Board. In 2007, Massachusetts Municipal Wholesale Electric Company filed for approval to construct a 280 MW dual-fuel (using natural gas and ultra low sulfur diesel oil) combined-cycle generating facility at the Stony Brook Energy Center in Ludlow. Also in 2007, Montgomery Energy Billerica Power Partners, L.P. filed for approval to construct what is currently proposed as a 348 MW dual-fuel (using natural gas and ultra low diesel oil) simple-cycle peaking electric generating facility on the Bakers Commodities property in Billerica. Further in 2007, Brockton Power Company LLC filed with the Energy Facilities Siting Board a petition for approval to construct a 350 MW dual-fuel combined-cycle electric generating facility which would be located on a parcel of land within the Oak Hill Way Industrial Park in Brockton.

On May 7, 2007, Russell Biomass, LLC and Western Massachusetts Electric Company filed with the Siting Board a petition for approval to construct and operate an approximately 5.3 mile, 115 kilovolt electric transmission line necessary to interconnect Russell Biomass' proposed 50 MW generating facility planned to be located in Russell, Massachusetts, with Western Massachusetts Electric company's existing transmission system. The petitioners also filed two petitions with the Department, one seeking zoning exemptions for the project and the other for authority to construct and operate a transmission line pursuant to G.L. c. 164, § 72. The Chairman of the Department referred the two Department matters to the Siting Board for review in conjunction with the generating facility case. These matters are pending before the Siting Board.

Matters concerning transmission lines to a proposed off-shore wind facility in Nantucket Sound are pending before the Siting Board. If constructed, the wind generating facility will be the first off-shore wind facility in the United States. In May, 2005, the Siting Board approved a petition by Cape Wind Associates LLC and Commonwealth Electric/NSTAR Electric to construct an 18.1-mile transmission line to interconnect the proposed off-shore wind generating facility in Nantucket Sound with the regional electric grid ("transmission project"). Cape Wind Associates, LLC and Commonwealth Electric Company, d/b/a NSTAR Electric, EFSB 02-2 (May 11, 2005) ("Cape Wind"). In 2006, the Supreme Judicial Court upheld the Siting Board's decision in the Cape Wind matter. Another approval required for the transmission project is a Development of Regional Impact ("DRI") approval from the Cape Cod Commission ("Commission"). In October, 2007, the Commission denied Cape Wind's application for DRI approval. In December, 2007, Cape Wind filed with the Siting Board an Application for a Certificate of Environmental Impact and Public Interest ("Certificate"). If approved by the Siting Board, the Certificate would in essence override the Commission's DRI denial and issue a DRI approval for the project. The matter is pending before the Siting Board.

On January 25, 2008, the Siting Board issued a decision concerning a Petition for Determination of Jurisdiction filed by Mobil Pipe Line Company ("Mobil"). In the decision,

the Siting Board held that it has the authority to exercise eminent domain jurisdiction over a 120-foot segment of Mobil's existing oil pipeline, which runs under the railroad bed of the Providence and Worcester Railroad Company ("P&W"). From 1977 to 2007, Mobil leased an easement on P&W's property which allowed it to locate and operate the pipeline beneath P&W's right of way. P&W refused to renew the lease, which expired on May 1, 2007, and P&W directed Mobil to remove its pipeline after said expiration. Shortly thereafter, Mobil filed first a petition with the Siting Board to take the easement in question by eminent domain, and then filed a separate petition for determination of jurisdiction regarding the eminent domain petition. Mobil Pipe Line Company, EFSB 07-5 (2008). P&W has appealed the Siting Board's decision to the Supreme Judicial Court where the matter is still pending. The pipeline is still in use, pending a final resolution of the Siting Board matters.

Federal Licensing Proceedings

The Siting Board represents the Commonwealth in proceedings before federal agencies such as FERC with respect to the construction of energy facilities in Massachusetts. 980 C.M.R. § 7.07(9). A major focus of Siting Board work continues to be review of proposed liquified natural gas ("LNG") facilities.

Currently, the Siting Board is involved as an intervenor in FERC's pre-filing review of a new proposal by Weaver's Cove Energy concerning its proposed LNG import terminal facility in Fall River. Specifically, as an option, Weaver's Cove is proposing to construct an offshore berth and underwater LNG transfer pipeline in Massachusetts waters in Mount Hope Bay and the Taunton River. The purpose of the berth and pipeline system is to allow for the transfer of LNG from tankers at the berthing location to the company's proposed LNG storage tank at its terminal site in Fall River. In 2006, the Siting Board participated in the FERC review of the proposed Weaver's Cove project, an LNG facility which would be located in the City of Fall River. The Siting Board was also an intervenor in that proceeding and, together with the City of Fall River and the Attorneys General of Massachusetts and Rhode Island, appealed FERC's July, 2005 approval of the facility and the denial of a rehearing at FERC to the United States Court of Appeals for the First Circuit. The pleadings the Siting Board filed in Court alleged, among other things, that in making its decision to approve construction of the facility, FERC did not evaluate all factors affecting whether the facility would be in the public interest. The pleadings also alleged that the facility would be constructed in close proximity to residential neighborhoods, and that FERC did not conduct an adequate review of alternatives to the project. The Court dismissed the appeal because certain other key agencies had not made decisions that could affect the operation of the proposed facility. The Court's ruling does not prevent the Siting Board from filing further Court action if so warranted.

Permit Override Authority

Through the granting of a Certificate of Environmental Impact and Public Interest, the Siting Board has the authority to override a state or local ordinance, permit requirement, license, or other "burdensome condition or limitation" that would unduly delay or prevent construction of an energy facility approved by the Board. G.L. c. 164, §§ 69K-69O2. A

facility developer may also apply for a Certificate if it believes there are inconsistencies among resource use permits issued by state or local agencies.

In 1999, the Siting Board exercised its certificate-issuing authority for the first time. In an October 2002 decision, the Supreme Judicial Court upheld the Siting Board's action. As stated above in the description of ongoing energy facilities review, currently pending before the Siting Board is a petition from Cape Wind Associates LLC to override a decision of the Cape Cod Commission denying approval of the Company's transmission line project that would interconnect a proposed off-shore wind farm.

Enforcement

The Siting Board is authorized to levy a civil penalty when an applicant has violated any order of the Board. G.L. c. 164, § 69H. The maximum fine is \$1,000 per day per violation, with a maximum civil penalty of \$200,000 for any related series of violations. The Siting Board did not levy any civil penalties in 2007.

Siting Division Responsibilities

The Siting Division, comprised of attorneys and technical analysts, performs the staff work for the Siting Board under its statutory mandates. In addition, the Siting Division handles a variety of land use cases for the Department, including petitions for zoning exemptions, for authority to exercise eminent domain, and for permission to construct transmission lines.

Zoning Exemptions

State law authorizes the Department to exempt public service corporations from compliance with specific municipal zoning ordinances or by-laws if it determines that the present or proposed use of the land or structure is reasonably necessary for the convenience or welfare of the public. G.L. c. 40A, § 3. The Siting Division adjudicates many of these cases for the Department.

During 2007, the Siting Division worked on zoning exemption proceedings concerning two separate types of renewable energy projects; a 50 MW biomass facility and a 3.2 MW on-land wind facility. The biomass facility resulted in over 35 petitions to intervene and is still pending. With respect to the on-land wind facility, the Department issued an order in 2007 granting Princeton Municipal Light Department an exemption from the zoning bylaws of the Town of Princeton. Princeton Municipal Light Department, D.T.E./D.P.U. 06-11 (2007). This exemption will allow for the construction of the wind facility. This on-land facility is expected to be in operation in 2009.

The Siting Division also worked on two zoning exemption cases in which project construction will result in an increase of the power import capability to the Southeastern Massachusetts area thereby reducing the number of hours that the Canal Power Plant in

Sandwich must run. The Department issued and order in NSTAR Electric Company, D.T.E/D.P.U. 07-9/07-10 in 2007 and issued an order in NSTAR Electric Company, D.P.U. 07-60/07-61 in early 2008.

Transmission Line Approval

G.L. c. 164, § 72 (“Section 72”) requires electric companies to obtain Department approval prior to the construction or alteration of transmission lines. To receive such approval, the electric company must show that the proposed project is needed and that it serves “the public convenience and is consistent with the public interest.” The Siting Division typically adjudicates these petitions on behalf of the Department.

In addition the Section 72 matters referenced above, the Siting Division is in the process of reviewing the joint petition of Massachusetts Electric Company, New England Power Company and PPM Energy, Inc. for a determination that their proposed 34.5 kilovolt overhead transmission tie line in the Towns of Florida and Monroe meet the standards under Section 72. The proposed 34.5 kilovolt tie line would connect the Hoosac Wind Project (a 30 MW project using 20 commercial scale wind turbines) with the New England Power Company transmission system. This matter is pending before the Department.

Eminent Domain and Survey Access

On behalf of the Department, the Siting Division adjudicates petitions by electric, natural gas, and water companies for the right to exercise the power of eminent domain to meet their public service obligations. G.L. c. 164, §§ 72, 72A. To grant eminent domain, the Department must determine that the project is necessary for the purpose alleged, will serve the public convenience, and is consistent with the public interest.

The Siting Division also administers the Department’s authority to grant electric, natural gas, and water companies permission to enter private lands for the purpose of making a survey prior to eminent domain proceedings. In 2007, the Siting Division completed its review to allow Algonquin Gas Transmission the authority to conduct surveys for a proposed pipeline in the Towns of Braintree, Canton, Franklin, Holbrook, Millis, Norfolk, Randolph, Sharon, Stoughton, Walpole and Weymouth. Algonquin Gas Transmission, D.P.U. 07-62.

Siting Division Policies

Responses to 1997 Restructuring Act

The 1997 Electric Restructuring Act amended the Siting Board's review of proposed generating facilities by reducing its scope to include "only the environmental impacts of generating facilities, consistent with the commonwealth's policy of allowing market forces to determine the need for and cost of such facilities." This change explicitly eliminated from the Siting Board's review two issues it had previously considered when evaluating generating facilities: the need for the facility and alternative sites. In addition, if developers could demonstrate that the emissions from their proposed facilities would be low enough, the Act exempted the facilities from a review of alternative (*i.e.*, less polluting) technologies.

In response to the Restructuring Act, the Siting Board developed a technology performance standard for air emissions from generating facilities; revised its standards of review for generating facilities; conducted an inquiry concerning the Siting Board's review of generating facility viability; and, in the Cape Wind proceeding, revised the Siting Board's standard of review for determining the need for a proposed transmission line intended to interconnect a new or expanded non-jurisdictional generating facility to the electric grid.

Carbon Dioxide Policy

Since 1991, the Siting Board has required developers of new generating facilities to mitigate the emission of carbon dioxide (CO₂) from their plants. Currently, the Siting Board requires developers to contribute \$1.50 per ton for one percent of a plant's CO₂ emissions to cost-effective CO₂ mitigation programs to be selected through consultation between the developer and Siting Board staff. This approach is intended to promote a broad range of mitigation activities, such as landfill gas recovery or energy efficiency, in addition to tree-planting. Developers may also make their contributions to the Climate Trust, a national organization that funds projects that reduce greenhouse gas emissions. As of the end of 2006, the Siting Board has approved CO₂ mitigation programs with a total value of nearly \$2 million.

Pipeline Engineering and Safety Division

Overview

The Pipeline Engineering and Safety Division (“Pipeline Safety Division” or “Division”) is responsible for technical and safety oversight of seven natural gas companies and four municipal gas departments in Massachusetts. As a certified agent of the U.S. Department of Transportation (“US DOT”), the Pipeline Safety Division enforces federal regulations pertaining to natural gas distribution pipelines within the Commonwealth. The Division also enforces the Department’s own comprehensive gas safety regulations and the state’s “Dig Safe” law, a statute requiring companies and individuals performing excavation work to notify the Dig Safe program in order to ensure safe excavation work.

The Pipeline Safety Division’s authority over technical and safety issues requires it to:

- Inspect gas facilities for compliance with federal and state design, construction, operating, maintenance, emergency and plant security regulations; and enforce such regulations;
- Investigate and determine the cause of gas-related accidents and make recommendations to minimize recurrences;
- Develop regulations applicable to the gas industry to enhance public safety;
- Enforce the Dig Safe Law by investigating alleged violations and assessing civil penalties;
- Inspect and test gas meters for accuracy and safety before the meters are installed at consumers’ premises;
- Resolve consumer complaints regarding the accuracy of gas and electric meters by field tests; and
- Ensure that utility operators restore the streets and roads after excavating in the public way.

Pipeline Safety Division Responsibilities

Natural gas and propane are considered hazardous fuels by both the state and the federal government. Massachusetts has 20,000 miles of gas mains, 20 liquified natural gas (“LNG”) plants, and 24 propane plants. These facilities serve over 1.4 million customers.

To protect consumers and the general public from the potential hazards involved in the transmission, distribution, production, storage and use of natural gas and propane, both the US DOT and the Department regulate these facilities. In addition to enforcing the

Department's regulations, the Pipeline Safety Division acts as an agent for the US DOT in the enforcement of federal regulations. The Division inspects natural gas distribution pipeline facilities within the Commonwealth, investigates incidents, and imposes remedial actions. These remedial actions can include civil penalties, when the Department has reason to believe that a natural gas operator did not comply with federal and state pipeline safety regulations.

The Department is authorized to assess civil penalties for violations of federal and state safety regulations. The penalties can not exceed \$50,000 per violation for each day the violation persists, and \$1,000,000 for any related series of violations. G.L. c. 164, § 105A.

Gas Facility Inspections

The Pipeline Safety Division's engineers inspect jurisdictional gas facilities - pipelines, meter stations, regulator stations, dispatch centers, LNG plants, and propane-air plants - for compliance with federal and state safety regulations. If it believes that violations may exist, the Pipeline Safety Division issues a Notice of Probable Violation ("NOPV") or Warning Letter to the alleged violator along with a Consent Order. The Consent Order includes proposed action(s) to be taken by the alleged violator to correct the violation, and a proposed civil penalty. The alleged violator may agree to the Consent Order, thereby resolving the case, or may request an informal review conference with Pipeline Safety Division. Following a requested informal review conference, the Pipeline Division issues a written decision. If a company disputes the written decision, it may request an adjudicatory hearing before the Department.

During 2007, the six Public Utilities Engineers spent over 700 person days performing inspections. The Division issued seven NOPVs and levied \$59,000 in civil penalties. The Division collected a total of \$170,000 in civil penalties (2005 and 2006 penalties included). These civil penalties are deposited into the General Fund of the Commonwealth.

Intrastate Transmission Pipelines

There are 34.3 miles of intrastate gas transmission lines in Massachusetts. The increased use of natural gas to generate electricity has resulted in the construction of new intrastate pipelines to connect power plants directly to interstate gas transmission lines. As intrastate facilities, these pipelines fall under the aegis of the Pipeline Safety Division, whose engineers inspect their design, construction, operation, and maintenance. Such pipelines typically operate at pressures significantly higher than local gas distribution pressures.

Investigation of Natural Gas Incidents

When a gas-related incident occurs, such as a fire or explosion that results in personal injury and/or significant property damage, the Pipeline Safety Division's engineers: (1) investigate to determine its cause; (2) determine whether the pipeline operator was in violation of any safety regulations; and (3) ascertain what actions an operator could take to prevent or

minimize a recurrence. During 2007, the Pipeline Safety Division investigated five possibly gas-related incidents, and continued its investigation of three incidents that occurred in 2006.

Intrastate LNG Facilities

Liquefied natural gas (LNG) plants provide an important part of the gas supply in Massachusetts. Especially in winter months, LNG plants provide as much as 20 percent of the daily gas supply used during peak demand times. Ensuring the safe and effective operation of these plants has always been a priority for the Pipeline Safety Division.

The Division inspects each LNG plant comprehensively once every four years. In addition, the Pipeline Safety Division conducts specialized inspections at each LNG plant at least once in a twenty-four month period.

After 9/11, the security of these plants became an even larger concern for the Division. The Division continues monitoring the security of the LNG plants. Monitoring includes on-site inspections, reviews of procedures and reviews of operating and maintenance records.

Dig Safe Law Enforcement

Massachusetts' Dig Safe law requires any person who proposes to excavate in public or private land to pre-mark the excavation site and to notify the Dig Safe Center of his intent to excavate. The Dig Safe Center then contacts all operators of underground gas pipelines and electric, telecommunication and television cables in the excavation locale. These operators, in turn, must mark the locations of their facilities in advance of the excavation to minimize the risk of potential damage by the excavator. Lastly, the excavator must take adequate precautions to prevent damage to the facilities while digging.

Any person aware of possible violations of Dig Safe procedures may report them to the Pipeline Safety Division; utility operators are mandated by regulation to report possible Dig-Safe violations. The Pipeline Safety Division investigates the reports, issues NOPVs, conducts informal review conferences with the respondents and operators of the facilities, and performs field inspections, as necessary.

The Pipeline Safety Division then issues a written decision, and has the authority to assess a civil penalty of \$1,000 for a first offence and up to \$10,000 in certain circumstances. An alleged violator that disputes the written decision, may request an adjudicatory hearing before the Department.

In 2007, the Pipeline Safety Division received 1,811 reports of possible Dig Safe violations. After investigating these reports, the Pipeline Safety Division issued 397 NOPVs, and collected \$140,000 in civil penalties.

Gas Meter Testing

State law requires that each gas meter be tested by the Pipeline Safety Division for volumetric accuracy and for leakage once every seven years, or when the meter is removed from service. Gas companies or municipal gas departments (“operators”) typically remove meters to be tested and replace them with previously approved meters. Operators then deliver meters to their meter shop where one of the Division’s compliance officers tests them to ensure that they are not leaking and that the consumer is getting the correct amount of gas. The Division collected \$2,379,980 in meter testing fees in 2007.

Consumer Metering Complaints

The Pipeline Safety Division assists the Department’s Consumer Division in addressing complaints by customers pertaining to both gas and electric metering. In the case of an electric meter, the Pipeline Safety Division witnesses a test of the “complaint” meter in the field to determine its accuracy. For gas meters, the suspect meter is removed and tested at the operator’s premises by a Division compliance officer.

Restoration of the Public Way after Utility Openings

In response to complaints from municipalities and industry about the lack of repairs made to public roads after utility work was completed, the Department promulgated street restoration standards in 1998. The regulations set standards for soil compaction, paving and other activities affecting road condition.

Partnership with Industry

US DOT regulations require that gas utility operating personnel be qualified by training and experience. These qualifications must be demonstrated by testing and work history. The Pipeline Safety Division, together with the Northeast Gas Association (“NGA”) and industry representatives, worked to develop a model operator qualification (“OQ”) program. Most of the natural gas operators in Massachusetts and the rest of New England now use this program to comply with OQ rules. The Gas Technology Institute is developing a national program based on the training program.

In other areas of cooperation, the Pipeline Safety Division has worked with regulators in the other five New England states and NGA to develop qualification procedures for welders of steel pipelines and fusers of plastic pipeline. This effort resulted in uniform qualifications for welders and fusers throughout New England which allows operators to avoid expending resources for the re-qualification of an employee from another New England state. At the same time, pipeline safety regulators are assured that the personnel are qualified in these essential pipeline construction functions.

The Division also worked with utilities and the Dig Safe Center to conduct training sessions for excavators. The sessions provide excavators with information about underground

utility lines and precautions to take when excavating near those lines. Programs such as Managing Underground Safety Training are an important tool for preventing damage to underground pipelines and cables.

Precedent, Policies and Practice

The Department is a national leader in gas pipeline safety. The Pipeline Engineering and Safety Division's actions in response to violations of gas-related safety regulations have gained the recognition of US DOT and agencies in other states. With more LNG plants than any other state in the country, the Commonwealth's LNG safety regulations are among the most stringent in the country.

Massachusetts is one of only a few states that has addressed the important issue of replacement or abandonment of aged cast-iron pipe. The Department's regulations require pipeline operators to prioritize and replace segments of old cast-iron pipe in accordance with Department-developed criteria. In addition, companies must replace or abandon such pipes, subject to specific criteria, when third-party excavation occurs nearby.

The Department has taken measures to address the potential safety hazards posed by unused service lines. The Department has updated existing regulations requiring the abandonment of unused lines. The regulations also specify more stringent gas leakage survey methods for operating lines.

2007 Pipeline Safety Division Accomplishments

In 2007, the Pipeline Safety Division:

- Conducted gas facility inspections, resulting in the issuance of seven compliance actions for violations of pipeline safety regulations; collected \$170,000 in civil penalties from operators who violated the pipeline safety regulations.
- Investigated events related to the possible release of natural gas from jurisdictional pipelines in Needham, Peabody, North Easton, Groton, and Walpole. These events resulted in personal injury, and/or property damage greater than \$50,000, or other significant factors.
- Investigated 1,811 reports of Dig Safe violations; issued 397 Notices of Probable Violation for violations against the Dig-Safe Law; collected \$140,000 in civil penalties from Dig Safe violators.
- Tested about 237,998 gas meters, thereby collecting \$2,379,980 in meter testing fees.

- Received a Citation for Outstanding Performance from Governor Deval Patrick in recognition of the Pipeline Safety Division's contribution to the goals of the Department with respect to LNG Security Inspections.

Transportation Oversight Division

Overview

The Transportation Oversight Division regulates the rates and practices of common carriers used to transport passengers and property, including trucks, railways, buses, household moving companies, towing companies and hazardous waste. In addition, the Transportation Oversight Division licenses all intra-state Massachusetts-based motor bus companies. The Transportation Oversight Division investigates and may hold fitness hearings after a consumer complaint, a driving violation, or an accident involving a common carrier. Undoubtedly, the most critical function of the Division is public safety. The other major responsibility of the Transportation Division is consumer protection.

Although no assessments are levied against regulated common carriers, these companies are subject to fees for services such as licensing, inspection, and examination. These revenues are not retained by the Department, but are deposited directly into the Commonwealth's General Fund. During 2007, the Transportation Oversight Division generated approximately \$1.8 million in revenues which was deposited into the General Fund.

Critical Public Safety Functions

In accordance with the provisions of G.L. c. 90, § 8A and G.L. c. 159A, § 9, the Transportation Oversight Division issues both School Bus Driver Certificates and Motor Bus Driver Certificates. During 2007, the Transportation Oversight Division issued over 2,000 new school bus driver certificates. Ensuring a cadre of reliable school bus drivers is essential to children's safety. The Transportation Oversight Division licenses all school bus drivers in Massachusetts after (1) reviewing a physician's exam, (2) evaluating driving records, (3) performing a criminal record check and Sex Offender Registry Review, and (4) administering a three-part driving skills test. The Transportation Oversight Division works with the Registry of Motor Vehicles and the school bus industry to set standards for school bus driver's and other commercial driver training and qualification requirements.

School Bus Driver Certificates and Motor Bus Driver Certificates issued in 2007

School Bus Driver Certificates:	11,969
(new and renewals)	
Motor Bus Driver Certificates:	989

Total Certificates Issued:	12,958
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On-Site School Bus Driver Compliance Reviews

In cooperation with the RMV, Transportation Oversight Division staff performs periodic, random compliance reviews of school bus drivers. The reviews are conducted on-site, at schools and are arranged so as not to interfere with the school day. Division staff reviews the driver's license and certification while a RMV official conducts a safety inspection of the school bus.

During calendar year 2007, one statewide compliance review was performed in November:

Companies Reviewed	Drivers reviewed	Total Violations Identified
32	251	91

Safety Oversight of Transit Authorities and Passenger For-Hire Bus Companies

State law specifies the Department as the oversight agency responsible for the safety of equipment and operations of all Massachusetts transit authorities and passenger-for-hire bus companies based in Massachusetts this includes, transit bus systems, motor coaches and sightseeing vehicles. The Division performed 4,472 safety inspections during 2007.

The Federal Transit Administration (“FTA”) requires that states oversee the safety and security of Rail Fixed Guideway Systems. The Massachusetts Bay Transportation Authority (“MBTA”) is the only Massachusetts transit authority which operates a rail fixed guideway system. As required by G.L. c. 161A, § 3(I) and 49 C.F.R. Part 659, the Transportation Oversight Division approves/monitors the safety and security program plans of the MBTA, the fifth largest transit authority in the United States. The Division also monitors the MBTA’s compliance with the Department’s System Safety and Security Program Standard. While other states with smaller transit authorities often dedicate an entire regulatory division to overseeing the transit authority’s Rail Fixed Guideway System, MBTA oversight is but one responsibility of the Transportation Oversight Division. A random inspection of MBTA subway cars is a component of this oversight program. During 2007, the Division participated in 52 internal transit safety/security audits. In accordance with the provisions of 49 C.F.R. Part 659 the Transportation Division annually reviews, tests and approves the System Safety Plan and Security Program Plan created by the MBTA. Transportation Oversight Division staff work closely with MBTA staff conducting on-site inspections of facilities and equipment. In addition, Division staff reviews and participates in internal safety and security audits to further enhance compliance and safety/security plan’s.

Also, as required by the FTA, in July 2005 the Department conducted a triennial audit of the MBTA as a means to test both the MBTA’s System Safety Plan and Security Program Plan. The Transportation Oversight Division performed the safety portion of the audit and hired a transit security consultant to conduct the security portion of the triennial audit. During calendar year 2006 the MBTA began implementing Corrective Action Items agreed to in the

2005 audit report. During calendar year 2008 the Department will conduct the next scheduled MBTA triennial audit.

In addition, under authority delegated by the Federal Railroad Administration and as required by G.L. c. 160, the Transportation Oversight Division performs inspections of new installations and upgrades of highway/railroad grade crossing signal systems.

Safety Inspections (Bus and Rail) in 2007

Transit bus, motor coach and sightseeing vehicles	4,472
Highway/railroad grade crossing signal systems (New installation/upgrades)	38
Transit audits	68
New Entrant Safety Audit	69
<hr/>	
Total Safety Inspections:	4,647

Licensing of Certain Common Carriers

In accordance with G.L. c. 159B, § 3 and G.L. c. 159A, §§ 7 and 11A, the Transportation Oversight Division licenses common carriers transporting people or property by vehicle. During 2007, the Transportation Oversight Division conducted 132 licensing hearings.

Licensing Hearings in 2007

Bus Companies	49
Tow Companies	47
Household Movers	35
Hazardous Waste	1
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Total:	132

In addition, 117 licenses were revoked or disciplinary action was taken against carriers that failed to maintain insurance and/or to obtain current-year identification devices.

Provision of Decals and Permits

Vehicle specific decals and permits (for trucks, buses, etc.) are required by law to denote a licensed common carrier. In 2007, the Transportation Oversight Division issued 10,206 decals and permits, collecting over \$525,000 in revenues.

Consumer Complaint Investigations

In accordance with the provisions of G.L. c. 159B, § 6B and 220 C.M.R. § 272.00, the Transportation Oversight Division regulates the price and service related to the towing and storage of vehicles towed without the permission of the owner or operator. The Transportation Oversight Division will respond to or investigate consumer complaints submitted in writing regarding towing companies or companies transporting household goods (moving companies). The Transportation Division received 83 consumer complaints in 2007.

Consumer Complaints (Tow Companies and Moving Companies) 2007

Complaints regarding tow companies:	62
Number of complaints resulting in a refund:	40 (64.5%)
Total dollars refunded:	\$ 5,453.50
Average refund	\$ 136.34
Complaints regarding moving companies:	21
Number of complaints resulting in a refund:	9 (42.9%)
Total dollars refunded:	\$ 1,804.13
Average refund	\$ 200.46
Total Refunds to Consumers	\$ 7,257.63

Inter-Agency Cooperation

The Transportation Oversight Division interacts with the following Massachusetts trade groups, and state and federal agencies:

- Statewide Towing Association (“STA”). The STA petitions the Department for rate relief regarding police/public authority ordered tow rates. The maximum rate for “involuntary tows” is established through a Department rulemaking procedure.
- School Transportation Association of Massachusetts (“STAM”). STAM represents the school bus industry in Massachusetts. The Transportation Oversight Division licenses all the school bus drivers in Massachusetts. The Division works with STAM to formulate outreach programs such as safety training for drivers and school bus company personnel.
- New England Bus Transportation Association (“NEBTA”). NEBTA represents the motor bus industry in Massachusetts. All Massachusetts-based motor bus companies must be licensed by the Department. NEBTA occasionally intervenes on behalf of a member at a license hearing.

- Massachusetts Movers Association (“MMA”). The MMA represents the moving industry in Massachusetts. Household goods movers are regulated by the Department.
- U.S. Department of Transportation, Federal Motor Carrier Safety Administration (“FMCSA”). The FMCSA conducts carrier safety audits of Massachusetts-based truck and motor bus companies. FMCSA provides guidance regarding federal safety regulations and commercial driver qualifications. The Transportation Oversight Division provides assistance by conducting New Entrant Safety Audits and Compliance Reviews on behalf of the FMCSA. Further, the Division provides feedback to the FMCSA regarding the safety practices of motor bus companies based in Massachusetts. In 2007 additional Transportation Oversight Division staff were trained to perform FMCSA related safety audits.
- Federal Transit Administration (“FTA”). The FTA publishes rules which mandate a state safety/security oversight program for Rail Fixed Guideway Systems (subway systems). Under this program the Department is the oversight agency for the MBTA subway operations. The Department is also the state safety oversight agency for all (16) regional transit agencies in Massachusetts.
- Federal Railroad Administration (“FRA”). The Department is mandated by statute to ensure all new and modified highway/railroad grade crossing signal systems operate in accordance with FRA regulations. No changes to a highway/railroad grade crossing signal system can occur without a “Notice to Proceed” from the Department. The Department participates in the FRA State Rail Safety Participation program.
- Commercial Vehicle Safety Alliance (“CVSA”). CVSA is an international association of state, provincial, and federal officials responsible for the administration and enforcement of motor carrier safety laws in the United States, Canada and Mexico. CVSA’s mission is to promote commercial motor vehicle safety and security by providing leadership to law enforcement, the bus and truck industry, and policy makers. The Transportation Oversight Division Assistant Director is the Chairman of the CVSA Passenger Carrier Committee.
- Massachusetts State Police (“MSP”). As set forth in a Memorandum of Understanding (MOU) the Transportation Oversight Division works closely with the MSP Commercial Vehicle Enforcement Section to conduct motor coach inspections at facilities and destinations.
- Registry of Motor Vehicles (“RMV”). The Department, through a Memorandum of Understanding (MOU) with the RMV, licenses all school bus drivers in the Commonwealth, conducts school bus driver compliance review’s

and administers the Commercial Driver License (“CDL”) exam for all new school/motor bus drivers.

Legal Division

Overview

The Legal Division staff serves as the chief legal and policy advisor to the Commission and provides legal support to all divisions of the Department. The Legal Division also serves as the Department's primary liaison with the Legislature, particularly the Committee on Telecommunications, Energy and Utilities.

Division Responsibilities

Formal Adjudication

The Legal Division's primary duty is presiding over adjudicatory proceedings conducted under the Massachusetts Administrative Procedures Act (G.L. c. 30A) and the Department's procedural regulations (220 C.M.R. §1.00). During 2007, the Legal Division participated in the issuance of 256 Orders, including five telecommunications orders issued before April 10, 2007. A list of the Orders issued is attached at Appendix 2.

Adjudications are the formal determination of parties' rights through a quasi-judicial process. All parties – both the party filing the action and any intervenors – are entitled to due process safeguards, meaning that the parties are entitled to adequate notice and the opportunity to be heard. Parties to the action have the right to present evidence, cross-examine witnesses, and receive a written decision from the Department. Pursuant to G.L. c. 25, § 4, the Chairman of the Department may delegate authority to an attorney from the Legal Division, known as the "Hearing Officer," to preside over Department adjudications.

Adjudicatory proceedings vary in complexity and include a wide range of subjects, such as reviews of :

- rates;
- contracts for the sale and purchase of electric power, natural gas and water;
- long-range forecast and supply planning;
- energy efficiency plans
- service quality plans;
- financial transactions (e.g., stock, bond, and security issuances);
- proposed mergers;

- proposed energy facility construction and siting (e.g., electric generation facilities and transmission lines); and
- billing disputes between residential consumers and utilities;

In conducting a formal adjudicatory proceeding, the Department generally holds two types of hearings: (1) a public hearing, and (2) an evidentiary hearing. Public hearings are publicized throughout the utility's service territory. In certain types of cases, public hearings are held in a utility's service territory. Public hearings are transcribed by a stenographer. If held in a utility's service territory, public hearings are conducted during the evening, usually in an easily accessible public building such as the Town Hall, and are usually presided over by a Commissioner. The public hearings afford local consumers the opportunity to learn more about a rate request, offer their input about the pending case, and comment on the practices of the utility. Residential and business customers are a valuable source of information to the Department in developing a case record.

Evidentiary hearings are conducted in a courtroom setting in the Department's Boston offices. These proceedings are also transcribed by a stenographer. The hearings are presided over by the Hearing Officer, with the active participation of the Department's technical staff. The technical staff participates by questioning witnesses to ensure that the record is accurate and complete.

While the adjudicatory process does not require adherence to all formal rules of evidence, the evidentiary hearing process follows many rules of civil procedure, and parties are almost always represented by counsel from the utility bar. Evidentiary hearings afford intervenors the opportunity to question company witnesses. In many rate cases, the Attorney General of the Commonwealth is an intervenor. Other intervenors may include public interest organizations, Division of Energy Resources (DOER), and local consumer, business or neighborhood groups. Sometimes intervenors put on a direct case with witnesses of their own.

Based on the evidence in the record, the Department issues a Final Order at the conclusion of each adjudicatory proceeding. Pursuant to G.L. c. 25, § 5, the Department's Final Order is appealable directly to the Massachusetts Supreme Judicial Court without intermediate appellate review.

Other Types of Proceedings

Requests for Advisory Ruling

The Department is sometimes called upon to issue advisory rulings with respect to the applicability of any statute or regulation enforced or administered by the Department. The Department has discretion to decline a request for an advisory ruling. G.L. 30A, § 8; 220 C.M.R. § 2.08.

Notice of Inquiry Proceedings

The Department issues a Notice of Inquiry (“NOI”) when the agency desires public input on a particular issue. Thus, NOIs are Department-initiated investigations that are neither formal adjudications nor rulemakings. The goal of the NOI is to encourage broad input in the development of public policy. The Department derives authority to issue a NOI from G.L. c. 164, § 76.

Participants in an NOI proceeding file comments and may provide sworn testimony. However, participants normally are not subject to cross-examination and do not have appeal rights. The order issued at the close of the investigation is usually a general policy statement with guidelines for future actions by utilities or by the Department. The policy established through the NOI may be further developed in the future through company-specific adjudications.

Rulemakings

The Department conducts rulemakings pursuant to G.L. c. 30A, §§ 2 - 5 and 220 C.M.R. § 2.00, to adopt, amend or repeal regulations pertaining to the activities of all industries the Department is charged by statute with regulating. A rulemaking proceeding may involve simple procedural regulations or may address complex regulatory issues. The Department is required to provide public notice of a proposed rulemaking and to allow an opportunity for public comment. After consideration of the public comment, the Department may issue final regulations. Any final regulation must be published in the Code of Massachusetts Regulations.

Appendix 1 – 2008 Siting Board Decisions, Department Orders and Siting Board Federal Agency Filings

Energy Facilities Siting Board

EFSB-07-1/D.T.E./ D.P.U. 07-5	<u>Braintree Electric Light Department</u> , Petition for approval to construct a 116 Megawatt (“MW”) single-cycle generating facility and for a zoning exemption (Braintree) Decision issued February 29, 2008
EFSB 07-2	<u>Montgomery Energy Billerica Power Partners, LP</u> , Petition for approval to construct a 348 MW single-cycle electric generating facility in Billerica, MA. Ongoing.
EFSB 07-6	<u>Massachusetts Municipal Wholesale Electric Company</u> , Petition for approval to construct a 280 MW combined cycle generating facility in Ludlow, MA. Ongoing.
EFSB 07-7/ D.P.U. 07-58/350 D.P.U. 07-59	<u>Brockton Power Company LLC</u> , Petition for approval to construct a MW combined cycle electric generating facility in Brockton, MA. Petition also seeks zoning exemption and G.L. c. 164, § 72 approval. Ongoing.
EFSB 06-1	<u>Colonial Gas Company/d/b/a Keyspan Energy</u> , Petition for Certificate of Environmental Impact and Public Interest for the construction of approximately 4.9 miles of new natural gas distribution pipeline on Cape Cod. Decision issued June 22, 2007.
EFSB 02-2A/ D.T.E. 02-53	<u>Cape Wind Associates, LLC</u> , Project Change, Extension Request and Petition for approval pursuant to G.L. c. 164, § 72 regarding transmission line on Cape Cod and in Nantucket Sound. Decision issued May 1, 2008.
EFSB 07-8	<u>Cape Wind Associates, LLC</u> , Petition for Certificate of Environmental Impact and Public Interest regarding transmission line on Cape Cod and in Nantucket Sound. Ongoing.
EFSB 07-5	<u>Mobil Pipe Line Company</u> , Petition for determination of jurisdiction. Decision issued January 25, 2008.

EFSB 07-4/ D.P.U. 07-35/ D.P.U. 07-36	<u>Russell Biomass LLC/Western Massachusetts Electric Company</u> , Petition for approval to construct transmission line, zoning exemption and approval to construct pursuant to G.L. c. 164, § 72 for a transmission line in Russell, Montgomery and Westfield. Ongoing.
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Department of Public Utilities

D.T.E. 06-60	<u>Russell Biomass LLC</u> , Petition for comprehensive zoning exemption from the Town of Russell for a 50 MW biomass generation facility. Ongoing.
DPU 07-80	<u>Massachusetts Electric Company/New England Power Company and PPM Energy, Inc.</u> , Petition for approval of transmission line pursuant to G.L. c. 164, § 72. Decision issued July 2, 2008.
DPU 07-60	<u>NSTAR Electric Company</u> , Petition for approval to construct transmission line in Towns of Carver, Middleborough, Rochester and Wareham and petition for zoning exemptions in Carver and Wareham. Decision issued April 2, 2008
DTE/DPU 06-11	<u>Princeton Municipal Light Department</u> , Petition for comprehensive zoning exemption in Princeton for a wind generating facility. Decision issued September 24, 2007.
DTE/DPU 07-9	<u>NSTAR Electric Company</u> , Petition for approval to construct transmission line and zoning exemption in Plympton. Decision issued November 26, 2007.

Federal Agency Filings

PF08-18-000	<u>Weavers Cove Energy, LLC</u> , Prefiling Process review of Weaver's Cove Energy, LLC proposed Offshore LNG Berth Project in Massachusetts waters, in Somerset and Fall River.
CP08-420-000	<u>Algonquin Gas Transmission, LLC</u> , Conducted public comment hearings for application pursuant to section 7(c) of the Natural Gas Act.

Appendix 2 - Department Orders Issued in 2007*

Docket Number	Case Description	Date Issued	Order Type
06-37	Petition of New England Power Company d/b/a National Grid to the Department, pursuant to M.G.L.A. c. 164, § 72, re proposed 115 kV distribution line in the Towns of Uxbridge and Northbridge, Massachusetts.	January 12, 2007	Order
N/A	Fitchburg Medium and Large Commercial & Industrial Default Service	January 25, 2007	Stamp Approval
06-109	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil to the Department pursuant to G.L. c. 164, § 94 and 220 C.M.R. 5.00 et seq., for approval of rate settlement between Unitil and the Attorney General.	January 26, 2007	Order
06-GAF-P1	Petition of Bay State Gas Company for approval by the Department of the Company's 2006 Peak Period Gas Adjustment Factors for the Period November 2006 through April 2007; 2005-2006 Reconciliation.	January 26, 2007	Letter Order
06-GAF-P2	Petition of The Berkshire Gas Company for approval by the Department of the Company's 2006 Peak Cost of Gas Adjustment Clause filing.	January 26, 2007	Letter Order
06-GAF-P3	Petition of Blackstone Gas Company for approval by the Department of the Company's 2006 Peak Period Gas Adjustment Factors for the Period November 2006 through April 2007; 2005-2006 Reconciliation.	January 26, 2007	Letter Order
06-GAF-P5	Petition of KeySpan Energy Delivery New England for approval by the Department of the Company's 2006 Peak Cost of Gas Adjustment Clause filing.	January 26, 2007	Letter Order
04-76	Petition by Aquaria LLC for a determination regarding the applicability of G.L. c. 164 and G.L. c. 165, including its status as a water company and its obligations regarding any consolidation, sale, merger, financing.	January 29, 2007	Stamp Approval
06-64	Petition of Whitinsville Water Company to the Department for approval of revised rates and changes in the Company's Rules and Regulations.	January 30, 2007	Suspension Order
EB 06-16	Paragon Advision, License as Electricity Broker	February 2, 2007	Stamp Approval
EB 06-18	National Utility Service, License as Electricity Broker	February 2, 2007	Stamp Approval
05-27-A	Petition of Bay State Gas Company for approval by the Department of proposed new tariffs, a Performance-Based Regulation Plan and other related rate adjustments pursuant to G.L. c. 164, § 94 and 220 C.M.R. §§ 5.00 et seq.	February 6, 2007	Order
06-64	Petition of Whitinsville Water Company to the Department for approval of revised rates and changes in the Company's Rules and Regulations.	February 9, 2007	Order
07-SL-1	Adjudicatory proceeding in the matter of complaint of Charles Dickey Dyer IV relative to the services provided by Spectrotel, Inc.	February 14, 2007	Order
N/A	Western Massachusetts Electric Company Quarterly Basic Service Filing	February 14, 2007	Stamp Approval
02-38-D	Investigation by the Department of on its own motion into Distributed Generation (Revisions to Model Interconnection Tariff).	February 16, 2007	Order
N/A	MBTA Request for CAP Modification	February 16, 2007	Letter Order
06-85	Assessments against companies owning or having entitlements to electric power from certain nuclear generating facilities to reimburse the Commonwealth for expenditures incurred by the Massachusetts Energy Management Agency pursuant to Section 2 of Chapter 139 of the Acts of 2006.	February 20, 2007	Order

*Five telecommunications orders issued before April 10, 2007 are not listed in Appendix 2.

Docket Number	Case Description	Date Issued	Order Type
05-27-B	Petition of Bay State Gas Company for approval by the Department of proposed new tariffs, a Performance-Based Regulation Plan and other related rate adjustments pursuant to G.L. c. 164, § 94 and 220 C.M.R. §§ 5.00 et seq.	February 23, 2007	Stamp Approval
02-38-D	Investigation by the Department of on its own Motion into Distributed Generation (Fitchburg Compliance Filing).	February 28, 2007	Stamp Approval
06-103	Petition of Massachusetts Electric Company and Nantucket Electric Company d/b/a National Grid to the Department for review of the company's distribution rate index filing in connection with 2007 retail rate adjustments.	February 28, 2007	Order
06-108	Petition of Boston Edison Company, Cambridge Electric Light Company and Commonwealth Electric Company d/b/a NSTAR Electric to the Department for review and approval of its 2006 Transition Cost Reconciliation Filing.	February 28, 2007	Order
05-82	Petition of Dig Safe Systems, Inc. to the Department for Implementation of 811 as the Abbreviated Dialing Code for Providing Notification of Excavation Activities to Underground Facility Operators within Massachusetts.	March 2, 2007	Order
N/A	NSTAR Quarterly Basic Service Filing	March 5, 2007	Stamp Approval
06-107	Petition of Boston Edison Company, Cambridge Electric Light Company and Commonwealth Electric Company d/b/a NSTAR Electric, for Approval by the Department of the sharing of benefits and costs related to customer-cost savings (NSTAR Electric Order Amending the Procedural Schedule).	March 6, 2007	Order
05-94-A	Petition of Aquarion Water Company of Massachusetts for approval of revisions to tariff M.D.T.E. No. 1, filed with the Department on December 22, 2005, for service on and after January 1, 2006.	March 9, 2007	Order
06-102	Petition of City of Marlboro for Approval of its municipal aggregation plan pursuant to G.L. c. 164, § 134.	March 14, 2007	Order
07-6	Investigation by the Department on its own motion into standby rates and alternative rate structures that will promote efficient deployment of distributed generation.	March 23, 2007	Order
N/A	National Grid Electric Basic Service Rates for Residential, Commercial and Industrial.	March 26, 2007	Stamp Approval
04-118/05-90	Petition of Boston Edison Company, Cambridge Electric Light Company, Commonwealth Electric Company, and NSTAR Gas Company seeking approval of their 2005 and 2006 Pension Adjustment Factors.	March 28, 2007	Order
06-104	Petition of Massachusetts Electric Company and Nantucket Electric Company d/b/a National Grid to the Department for approval of Terms and Conditions for Municipal Aggregators.	March 28, 2007	Stamp Approval
06-GC-17A	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a 365-Day Firm Transportation Agreement with Aggregate Industries d/b/a the Holcim Group (Saugus).	March 28, 2007	Letter Order
06-GC-27	Colonial Gas Company petition for approval by the Department of a Firm Transportation Agreement with Baker Commodities, Inc.	March 28, 2007	Letter Order
06-GC-8A	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a 365-Day Firm Transportation Service Agreement with General Electric Company.	March 28, 2007	Letter Order
07-28	Petition of the Housatonic Water Works Company to the Department for review and approval to revise rates.	March 28, 2007	Suspension Order
RA 020	Absolute Energy Services, LLC, Gas Retail Agent License Renewal	March 28, 2007	Stamp Approval
RA 06-07	NUS Consulting Group, License as Gas Retail Agent	March 28, 2007	Stamp Approval

Docket Number	Case Description	Date Issued	Order Type
02-38-D	Investigation by the Department on its own motion into Distributed Generation (National Grid Compliance Tariff).	March 29, 2007	Stamp Approval
02-38-D	Investigation by the Department of on its own motion into Distributed Generation (Western Massachusetts Electric Company Compliance Tariff).	March 29, 2007	Stamp Approval
06-107	Petition of Boston Edison Company, Cambridge Electric Light Company and Commonwealth Electric Company d/b/a NSTAR Electric, for Approval by the Department of the sharing of benefits and costs related to customer-cost savings.	March 29, 2007	Stamp Approval
06-108-B	Petition of Boston Edison Company, Cambridge Electric Light Company and Commonwealth Electric Company d/b/a NSTAR Electric to the Department for review and approval of its 2006 Transition Cost Reconciliation Filing.	March 30, 2007	Order
N/A	Request for approval of KeySpan Energy Delivery New England to extend current energy efficiency program until 10/31/07.	April 2, 2007	Stamp Approval
05-SL-10	Adjudicatory proceeding in the matter of complaint of John Ober relative to the services provided by Verizon - Massachusetts.	April 4, 2007	Order
07-27	Petition of The Westport Harbor Aqueduct Company to the Department for approval of a rate increase.	April 4, 2007	Suspension Order
07-29	Petition of Assabet Water Company to the Department for approval to revise rates.	April 4, 2007	Suspension Order
02-38-D	Investigation by the Department of on its own Motion into Distributed Generation (Fitchburg Gas & Electric light Company Compliance Tariff).	April 5, 2007	Stamp Approval
02-38-D	Investigation by the Department on its own Motion into Distributed Generation (NSTAR Compliance Tariff).	April 10, 2007	Stamp Approval
04-116-C	Investigation by the Department on its own motion regarding the service quality guidelines established in Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies, D.T.E. 99-84 (2001).	April 10, 2007	Order
05-AD-04	Adjudicatory hearing Georgianna Donadio-MacCormack v. NSTAR.	April 10, 2007	Order
07-GC-01	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a Firm Transportation Service Agreement with Exelon New England Holdings, LLC.	April 10, 2007	Letter Order
CS 07-01	Entergy Solutions, Ltd., License as Competitive Supplier	April 10, 2007	Stamp Approval
EB 06-11	Global Montello Group, License as Electricity Broker	April 10, 2007	Stamp Approval
EB 06-19	Liberty Power Delaware, License as Competitive Supplier	April 10, 2007	Stamp Approval
EB 06-20	Liberty Power Holdings, License as Competitive Supplier	April 10, 2007	Stamp Approval
EB 07-02	Make Me Sustainable, License as Electricity Broker	April 10, 2007	Stamp Approval
N/A	Fitchburg Gas and Electric Light Company Basic Service Filing	April 26, 2007	Stamp Approval
EB 07-01	The Power Solutions, License as Electricity Broker	April 27, 2007	Stamp Approval
06-53	Investigation as to the propriety of the rates and charges set forth in the following tariffs: M.D. T.E. No. 5, filed on June 16, 2006, by Plymouth Water Company, and suspended for further investigation.	April 30, 2007	Order
07-GAF-O1	Petition of Bay State Gas Company for approval by the Department of the Company's 2007 Off-Peak Cost of Gas Adjustment Clause filing.	April 30, 2007	Letter Order
07-GAF-O2	Petition of The Berkshire Gas Company for approval by the Department of the company's 2007 Off-Peak Cost of Gas Adjustment Clause filing.	April 30, 2007	Letter Order
07-GAF-O3	Petition of Blackstone Gas Company for approval by the Department of the Company's 2007 Off-Peak Cost of Gas Adjustment Clause filing.	April 30, 2007	Letter Order

Docket Number	Case Description	Date Issued	Order Type
07-GAF-O4	Petition of Fitchburg Gas and Electric Light Company for approval by the Department of the company's 2007 Off-Peak Cost of Gas Adjustment Clause filing.	April 30, 2007	Letter Order
07-GAF-O5	Petition of KeySpan Energy Delivery New England for approval by the Department of the Company's 2006 Off-Peak Cost of Gas Adjustment Clause filing.	April 30, 2007	Letter Order
07-GAF-O6	Petition of New England Gas Company (Fall River Service Area) for approval by the Department of the Company's 2007 Off-Peak Cost of Gas Adjustment Clause filing.	April 30, 2007	Letter Order
07-GAF-O7	Petition of New England Gas Company (North Attleboro Service Area) for approval by the Department of the company's 2007 Off-Peak Cost of Gas Adjustment Clause filing.	April 30, 2007	Letter Order
07-GAF-O8	Petition of NSTAR Gas Company for approval by the Department of the Company's 2007 Off-Peak Cost of Gas Adjustment Clause filing.	April 30, 2007	Letter Order
GS-004	Select Energy, Gas Supplier License Renewal	May 4, 2007	Stamp Approval
GS-008	Sprague Energy, Gas Supplier License Renewal	May 4, 2007	Stamp Approval
RA-014	UMG, Inc., License as Gas Retail Agent	May 4, 2007	Stamp Approval
RA-017	Choice Energy Supply, License as Gas Retail Agent	May 4, 2007	Stamp Approval
RA-020	Premier Energy Solutions LLC, License as Gas Retail Agent	May 4, 2007	Stamp Approval
06-34	Petition of Massachusetts Electric Company and Nantucket Electric Company, d/b/a National Grid for approval by the Department of the company's proposed 2006 Energy Efficiency Plan	May 8, 2007	Order
06-45	Petition of Boston Edison Company, Cambridge Electric Company and Commonwealth Electric Company d/b/a NSTAR Electric Company to the Department for approval of the company's 2006 Energy Efficiency Plan.	May 8, 2007	Order
06-50	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil to the Department for review and approval of its 2006 Energy Efficiency Plan.	May 8, 2007	Order
06-69	Petition to the Department for approval of a Settlement submitted jointly by the Western Massachusetts Electric Company, the Associated Industries of Massachusetts, and the Low-Income Energy Affordability Network.	May 8, 2007	Order
07-2	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil to the Department pursuant to M.G.L. c. 164, §100 for approval of the sale of its ownership interest in the William F. Wyman Unit No. 4 generating unit.	May 8, 2007	Order
07-GC-02	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a Firm Transportation Service Agreement with Hallmark Health System, Inc., d/b/a Melrose Wakefield Hospital.	May 11, 2007	Letter Order
EB 07-03	Premier Energy Solutions, LLC License as Electricity Broker	May 18, 2007	Stamp Approval
EB 07-05	Enernoc, Inc. License, as Electricity Broker	May 18, 2007	Stamp Approval
06-42-A	Petition of Bay State Gas Company for a precedent agreement for firm natural gas storage and related agreements.	May 21, 2007	Order
06-79	Petition of Colonial Gas Company d/b/a KeySpan Energy Delivery New England for recovery of an exogenous cost associated with its demand-side management programs for the period May 2005 through April 2006.	May 21, 2007	Order
07-30	Petition of Attorney General to the Department for an Oversight Investigation into the National Grid and KeySpan Merger.	May 21, 2007	Order

Docket Number	Case Description	Date Issued	Order Type
06-60	Petition of Russell Biomass, LLC to the Department, filed pursuant to G.L. c. 40A, § 3, seeking exemption from the zoning by-laws of the Town of Russell.	May 22, 2007	Order
N/A	Western Massachusetts Electric Company Basic Service Filing	May 24, 2007	Stamp Approval
05-92-A	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for approval by the Department of its Annual Electric Reconciliation Mechanism.	May 25, 2007	Order
06-68	Investigation by the Department, pursuant to G.L. c. 25, §19 and G.L. c. 25A, §11G, of KeySpan Energy Delivery New England's 2001, 2002, 2003, 2004 and 2005 Demand-Side Management Reports.	May 25, 2007	Stamp Approval
07-29-A	Petition of Assabet Water Company to the Department for approval to revise rates.	May 30, 2007	Order
07-GAF-05	June 2007 Revised Off-Peak Cost of Gas Adjustment Clause Filing.	May 31, 2007	Letter Order
N/A	NSTAR Electric Basic/Default Service Filing	May 31, 2007	Stamp Approval
06-87	Petition of Nautical Tours, Inc. of Melrose, Massachusetts, for a certificate of public convenience and necessity for the operation of amphibious motor vehicles for hire to provide sight-seeing service over certain public ways in the cities of Cambridge and Boston, Massachusetts.	June 1, 2007	Order
07-34	Petition of Assabet Water Company to the Department for approval of long-term financing for the purpose of funding new water plant.	June 1, 2007	Order
06-59	Investigation by the Department, pursuant to G.L. c. 25, § 19 and G.L. c. 25A, § 11G, of Massachusetts Electric Company and Nantucket Electric Company's 2001, 2002, 2003, 2004 and 2005 Demand-Side Management Reports.	June 13, 2007	Stamp Approval
06-62	Investigation by the Department, pursuant to G.L. c. 25, § 19 and G.L. c. 25A, §11G, of Boston Edison Company, Cambridge Electric Company, Commonwealth Electric Company d/b/a NSTAR Electric Company's 2001, 2002, 2003, 2004 and 2005 Demand-Side Management Reports.	June 13, 2007	Stamp Approval
06-72	Petition and Complaint of Abbey Province, LLC to the Department pursuant to G.L.c.164 and 220 C.M.R. 14.06(4) to Order KeySpan Energy Delivery New England to cease and desist its allocation of costs in connection with cast-iron pipe replacement.	June 19, 2007	Order
07-EC-2	Fitchburg Gas and Electric Light Company's request for approval by the Department of a Special Contract for Standby Delivery Service and Supplemental Delivery Service with The Newark Group d/b/a Newark America.	June 20, 2007	Stamp Approval
07-27	Petition of The Westport Harbor Aqueduct Company to the Department for approval of a rate increase.	June 21, 2007	Order
07-50	Investigation by the Department on its own Motion into Rates Structures that will Promote Efficient Deployment of Demand Resources.	June 22, 2007	Order
N/A	National Grid's Default Service Filing	June 25, 2007	Stamp Approval
06-105-A	Petition of Western Massachusetts Electric Company for its annual rate change filings for rates effective January 1, 2006, pursuant to the Electric Industry Restructuring Act, St. 1997, c. 164.	June 28, 2007	Order
06-35	Petition of Western Massachusetts Electric Company for approval of its rate reconciliation and adjustment filings for 2005 pursuant to the Electric Industry Restructuring Act, St. 1997, c. 164.	June 28, 2007	Order

Docket Number	Case Description	Date Issued	Order Type
07-11-A	Petition of Western Massachusetts Electric Company for approval of its rate reconciliation and adjustment filings for 2006 pursuant to the Electric Industry Restructuring Act, St. 1997, c. 164.	June 28, 2007	Order
07-4	Petition of NSTAR Electric Company for approval by the Department of supporting schedules calculating a revised Default Service Costs Adder.	June 28, 2007	Order
06-36	Petition of Bay State Gas Company to the Department for Approval of System Protection Plan for Grandfather Overtakes pursuant to the Order D.T.E. 05-27.	June 29, 2007	Order
06-43	Rulemaking by the Department on the petition of Statewide Towing Association, Inc., to amend 220 C.M.R. §§ 272.00 et seq.: Rates for the Towing of Motor Vehicles.	July 2, 2007	Order
CS 07-02	Horizon Power & Light, License as Competitive Supplier	July 13, 2007	Stamp Approval
EB 07-07	Co-eXprise, Inc., License as Electricity Broker	July 13, 2007	Stamp Approval
07-39	Petition of Massachusetts Electric Company and Nantucket Electric Company d/b/a National Grid to the Department for approval of revised Terms and Conditions for GreenUp Service, M.D.T.E. 1117.	July 19, 2007	Stamp Approval
07-GC-03	Boston Gas Company d/b/a Keyspan Energy Delivery New England petition for approval of a 365-Day Firm Transportation Service Agreement with the Trustees of Harbor Towers Condominium Trust.	July 19, 2007	Letter Order
07-GC-05	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of an Extension Agreement to a 365-Day Firm Transportation Service Agreement with Trigen-Boston Energy Corporation.	July 19, 2007	Letter Order
07-GC-10	Essex Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a Firm Transportation Agreement with The Newark Group.	July 19, 2007	Letter Order
07-GC-12	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a 365-Day Firm Transportation Agreement with Aggregate Industries d/b/a the Holcim Group (Peabody).	July 19, 2007	Letter Order
07-GC-14	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a 365-Day Firm Transportation Agreement with The First Church of Christ Scientist.	July 19, 2007	Letter Order
07-GC-4	Boston Gas Company petition for approval of a 365-Day Firm Transportation Service Agreement with 175 Freeman Street Investors, L.L.C.	July 19, 2007	Letter Order
07-GC-6	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a 365-Day Firm Transportation Service Agreement with AlphaGary Corporation.	July 19, 2007	Letter Order
07-GC-8	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a 365-Day Firm Transportation Service Agreement with Caritas Norwood Hospital.	July 19, 2007	Letter Order
RA-018	Risk Services Group Inc., Gas Retail Agent License Renewal	July 19, 2007	Stamp Approval
05-88-A/ 04-113-A	Petition of Boston Edison Company d/b/a NSTAR Electric for approval of its 2004 and 2005 Transition Cost Reconciliation Filings, pursuant to G.L. c. 164, § 1A (a) and 220 C.M.R. § 11.03(4).	July 23, 2007	Order
N/A	Fitchburg Gas & Electric Light Company Basic Service Rates for Medium & Large Commercial & Industrial	July 25, 2007	Stamp Approval
06-106-A	Petition of Nantucket Electric Company for approval by the Department of a Cable Facilities Surcharge to become effective on January 1, 2007.	July 26, 2007	Order

Docket Number	Case Description	Date Issued	Order Type
07-32	Investigation by the Department regarding The Berkshire Gas Company Mid-Period Report on Performance of Price Cap Mechanism Plan filed pursuant to D.T.E. 01-56.	July 27, 2007	Letter Order
07-4	Petition of NSTAR Electric Company for approval by the Department of supporting schedules calculating a revised Default Service Costs Adder.	July 27, 2007	Order
07-GC-13	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of an Extension Agreement to a 365 Day Firm Transportation Agreement with Polaroid Corporation.	July 27, 2007	Letter Order
07-GC-7	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a 365-Day Firm Transportation Service Agreement with 175 Freman Street Investor L.L.C.	July 27, 2007	Letter Order
07-GC-9	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a 365 Day Firm Transportation Agreement with Aggregate Industries d/b/a the Holcim Group (Watertown).	July 27, 2007	Letter Order
GS-06-01	Buckley Energy Group Ltd, Gas Supplier License Renewal	July 27, 2007	Stamp Approval
RA-025	Consumer Energy Solutions, Inc., Gas Retail Agent License Renewal	July 27, 2007	Stamp Approval
07-46	Petition of Southern Union Company d/b/a New England Gas Company pursuant to General Laws Chapter 164, § 94, and 220 C.M.R. §§ 5.00 et seq. for approval of a rate settlement for rates effective August 1, 2007.	July 31, 2007	Order
07-63	Investigation as to the propriety of the rates and charges set forth in the following tariff: M.D.P.U. No. 18, filed on July 17, 2007, by Dover Water Company, and suspended for further investigation.	July 31, 2007	Suspension Order
07-GAF-O1	Petition of Bay State Gas Company for review and approval by the Department of the Company's 2007 Off-Peak Cost of Gas Adjustment Clause filing.	August 1, 2007	Order
EB 07-06	Viking Energy Management, License as Electricity Broker	August 8, 2007	Letter Order
EB 07-08	Eagle Energy, License as Electricity Broker	August 8, 2007	Letter Order
03-11-A	Investigation by the Department into The Berkshire Gas Company's 2002 Service Quality Report, filed pursuant to Service Quality Standard for Electric Distribution Companies and Local Gas Distribution Companies, D.T.E. 99-84 (June 29, 2001).	August 9, 2007	Order
07-43	Petition of NSTAR Electric Company to the Department for authorization and approval of the issuance of long-term debt securities.	August 9, 2007	Order
07-GC-11	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of an Extension Agreement to a 365-Day Firm Transportation Agreement with Kraft Foods Global, Inc.	August 13, 2007	Letter Order
07-GC-16	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a Firm Transportation Agreement with Trigen-Boston Energy Corporation.	August 13, 2007	Letter Order
GS-014	Metromedia Energy Inc., Gas Supplier License Renewal	August 14, 2007	Stamp Approval
GS-028	Direct Energy Services, LLC, Gas Supplier License Renewal	August 14, 2007	Stamp Approval
N/A	Western Massachusetts Electric Company Default Service Filing	August 16, 2007	Stamp Approval
06-29	Request of the Office of the Inspector General for an advisory opinion specific to municipal light department reporting requirements.	August 17, 2007	Order

Docket Number	Case Description	Date Issued	Order Type
07-38	Petition of The Berkshire Gas Company to the Department for approval of its fourth annual Price Cap Mechanism Plan rate adjustment filed pursuant to D.T.E. 01-56.	August 20, 2007	Letter Order
07-40	Investigation by the Department, pursuant to G.L. c. 25, §19 and G.L. c. 25A, §11G, in Fitchburg Gas and Electric Light Company's 2003, 2004 and 2005 Energy Efficiency Reports.	August 29, 2007	Stamp Approval
07-42	Investigation by the Department, pursuant to G.L. c. 25, § 19 and G.L. c. 25A, § 11G, into Western Massachusetts Electric Company's 2001, 2002, 2003, 2004 and 2005 Energy Efficiency Reports.	August 29, 2007	Stamp Approval
07-GAF-O2	Petition of The Berkshire Gas Company for review and approval by the Department of the company's 2007 Off-Peak Cost of Gas Adjustment Clause filing.	August 30, 2007	Letter Order
07-GAF-O5	Petition of KeySpan Energy Delivery New England for review and approval by the Department of the Company's 2006 Off-Peak Cost of Gas Adjustment Clause filing.	August 30, 2007	Letter Order
07-GC-15	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a 365-Day Firm Transportation Service Agreement with Kraft Foods North Atlantic, Inc. d/b/a Veryfine Beverages.	August 30, 2007	Letter Order
GS 07-02	Macquarie Cook Energy, LLC, License as Gas Supplier	August 30, 2007	Stamp Approval
N/A	NSTAR Default Service Filing	August 30, 2007	Stamp Approval
07-64	Petition of NSTAR Electric Company to the Department for Approval Relating to Purchase Power and Renewable Energy Certificate Contracts.	August 31, 2007	Order
07-12	Investigation by the Department into Bay State Gas Company's 2006 Service Quality Report, filed pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies.	September 10, 2007	Letter Order
07-13	Investigation by the Department into The Berkshire Gas Company's 2006 Service Quality Report, filed pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies.	September 10, 2007	Letter Order
07-14	Investigation by the Department into Blackstone Gas Company's 2006 Service Quality Report, filed pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies.	September 10, 2007	Letter Order
07-16	Investigation by the Department into Boston Gas Company d/b/a KeySpan Energy Delivery New England's 2006 Service Quality Report, filed pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies.	September 10, 2007	Letter Order
07-18	Investigation by the Department into Colonial Gas Company d/b/a KeySpan Energy Delivery New England's 2006 Service Quality Report, filed pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies.	September 10, 2007	Letter Order
07-20	Investigation by the Department into Essex Gas Company d/b/a KeySpan Energy Delivery New England's 2006 Service Quality Report, filed pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies.	September 10, 2007	Letter Order
07-22	Investigation by the Department into Massachusetts Electric Company and Nantucket Electric Company's 2006 Service Quality Report, filed pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies.	September 10, 2007	Letter Order

Docket Number	Case Description	Date Issued	Order Type
07-23	Investigation by the Department into NSTAR Gas Company's 2006 Service Quality Report, filed pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies.	September 10, 2007	Letter Order
07-24	Investigation by the Department into New England Gas Company's 2006 Service Quality Report, filed pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies.	September 10, 2007	Letter Order
07-25	Investigation by the Department into Western Massachusetts Electric Company's 2006 Service Quality Report, filed pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies.	September 10, 2007	Letter Order
07-GC-17	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a Firm Transportation Service Agreement with New England Baptist Hospital.	September 17, 2007	Letter Order
07-GC-18	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a Firm Transportation Agreement with Eastman Gelatine Corporation.	September 17, 2007	Letter Order
07-GC-19	Colonial Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a Firm Transportation Agreement with Aggregate Industries d/b/a the Holcim Group.	September 17, 2007	Letter Order
CS 07-03	South Jersey Energy Company, License as Competitive Supplier	September 17, 2007	Stamp Approval
CS 07-04	Hudson Energy Services. License as Competitive Supplier	September 17, 2007	Stamp Approval
EB 07-09	American Energy Solutions, License as Electricity Broker	September 17, 2007	Stamp Approval
GA-04-10	James Devaney Fuel Co. Inc., Retail Agent License Renewal	September 17, 2007	Stamp Approval
GS-002	Hess Corporation, Gas Supplier License Renewal	September 17, 2007	Letter Order
GS-07-03	Hudson Energy Services, License as Gas Supplier	September 17, 2007	Stamp Approval
RA 07-02	LPB Energy Consulting, License as Gas Retail Agent	September 17, 2007	Stamp Approval
07-62	Petition of Algonquin Gas Transmission, LLC to the Department pursuant to M.G.L. c. 164, §§ 72A, 75B, and 75D, for authorization to enter upon land in support of an application for the construction of natural gas pipelines and appurtenant facilities with the Federal Energy Regulatory Commission.	September 18, 2007	Order
07-48	Petition of Massachusetts Electric Company and Nantucket Electric Company d/b/a National Grid to the Department for review and approval of an Offer of Settlement regarding National Grid's proposed 2007 Energy Efficiency Plan.	September 19, 2007	Stamp Approval
07-55	Petition of NSTAR Electric Company to the Department for review and approval of its 2007 Energy Efficiency Plan.	September 19, 2007	Stamp Approval
06-11	Petition of Princeton Municipal Light Department to the Department for an exemption from the Town of Princeton, Massachusetts Zoning By-laws, pursuant to G.L. c. 40A, § 3 and 220 C.M.R. §1.04(1).	September 24, 2007	Order
07-54	Petition of Dover Water Company to the Department for approval of long-term financing for the purpose of refinancing current indebtedness and funding construction of new water plant.	September 24, 2007	Order
N/A	RGGI Comments on DOER Proposed Regulations	September 24, 2007	Order
N/A	National Grid Default Service Filing	September 26, 2007	Stamp Approval
07-64	Petition of NSTAR Electric Company to the Department for Approval Relating to Purchase Power and Renewable Energy Certificate Contracts.	September 27, 2007	Order

Docket Number	Case Description	Date Issued	Order Type
07-GAF-O1	Petition of Bay State Gas Company for review and approval by the Department of the Company's 2007 Off-Peak Cost of Gas Adjustment Clause filing.	September 28, 2007	Letter Order
GS-030	Constellation New Energy - Gas Division, LLC, License as Gas Supplier	October 17, 2007	Stamp Approval
RA-07-03	I.C. Thomasson Associates, Inc., License as Gas Retail Agent	October 17, 2007	Stamp Approval
06-31	Investigation by the Department regarding Bay State Gas Company's compliance with G.L. c. 164, § 1E and other staffing matters pursuant to Bay State Gas Company, D.T.E. 05-27 (2005).	October 22, 2007	Order
06-84	Petition of Bay State Gas Company, pursuant to G.L. c. 164, § 69I, for approval by the Department of its Long-Range Forecast and Supply Plan for the five-year period November 1, 2006, through October 31, 2011.	October 22, 2007	Order
07-29	Petition of Assabet Water Company to the Department for approval to revise rates.	October 23, 2007	Suspension Order
07-89	Petition of Bay State Gas Company to the Department for review and approval of proposed new rate tariffs filed pursuant to G.L. c. 164, §94 and 220 C.M.R. §§ 5.00 et seq.	October 24, 2007	Suspension Order
N/A	Fitchburg Gas & Electric Basic Service Filing	October 26, 2007	Stamp Approval
07-GC-24	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a Firm Transportation Service Agreement with Massachusetts Development Finance Agency.	October 29, 2007	Letter Order
07-76	Petition of Massachusetts Electric Company and Nantucket Electric Company d/b/a National Grid to the Department for approval of a revised Default Service Cost Reclassification Adjustment Factors.	October 30, 2007	Stamp Approval
07-GC-20	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a Firm Transportation Agreement with Fairmont Copley Plaza.	October 30, 2007	Letter Order
07-GC-22	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a Firm Transportation Agreement with Aggregate Industries d/b/a the Holcim Group (Saugus).	October 30, 2007	Letter Order
07-73	KeySpan Energy Delivery New England petition to the Department for approval of its Fourth Annual Performance Based Rate Adjustment filing in accordance with D.T.E 03-40.	October 31, 2007	Order
07-GAF-P1	Petition of Bay State Gas Company for approval by the Department of the Company's 2007/2008 Peak Cost of Gas Adjustment Clause filing.	October 31, 2007	Letter Order
07-GAF-P2	Petition of The Berkshire Gas Company for approval by the Department of the Company's 2007/2008 Peak Cost of Gas Adjustment Clause filing.	October 31, 2007	Letter Order
07-GAF-P3	Petition of Blackstone Gas Company for approval by the Department of the Company's 2007/2008 Peak Cost of Gas Adjustment Clause filing.	October 31, 2007	Letter Order
07-GAF-P4	Petition of Fitchburg Gas and Electric Light Company for approval by the Department of the Company's 2007/2008 Peak Cost of Gas Adjustment Clause filing.	October 31, 2007	Letter Order
07-GAF-P5	Petition of KeySpan Energy Delivery New England for approval by the Department of the Company's 2007/2008 Peak Cost of Gas Adjustment Clause filing.	October 31, 2007	Letter Order
07-GAF-P6	Petition of New England Gas Company, Fall River service area, for approval by the Department of the Company's 2007/2008 Peak Cost of Gas Adjustment Clause filing.	October 31, 2007	Letter Order

Docket Number	Case Description	Date Issued	Order Type
07-GAF-P7	Petition of New England Gas Company, North Attleboro service area, for approval by the Department of the Company's 2007/2008 Peak Cost of Gas Adjustment Clause filing.	October 31, 2007	Letter Order
EB 07-10	Energy Trust, License as Electricity Broker	October 31, 2007	Stamp Approval
07-41	Petition of Blackstone Gas Company to the Department for approval of its third annual Performance Base Rate adjustment pursuant to D.T.E. 04-79 (2004).	November 2, 2007	Stamp Approval
07-65	Petition of Bay State Gas Company to the Department for approval of extensions and modifications to certain of its existing firm capacity contracts.	November 2, 2007	Letter Order
07-GC-21	Colonial Gas Company d/b/a KeySpan Energy Delivery New England petition for and approval of a 365-Day Firm Transportation Service Agreement with Bardon Trimount Corporation d/b/a Aggregate Industries (Hyannis).	November 2, 2007	Letter Order
07-GC-23	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a 365-Day Firm Transportation Agreement with United States Gypsum Company.	November 2, 2007	Letter Order
07-WC-1	The Sheffield Water Company petition for approval by the Department of an agreement between Sheffield Water Company and Balsam Hill Farm.	November 2, 2007	Stamp Approval
RA-019	Premier Energy Group, LLC, Gas Retail Agent License Renewal	November 6, 2007	Stamp Approval
RA-024	World Energy Solutions Inc., Gas Retail Agent License Renewal	November 6, 2007	Stamp Approval
07-57	Petition of Fitchburg Gas and Electric Company to the Department for review and approval of its 2007 Energy Efficiency Plan.	November 15, 2007	Order
07-72	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil to the Department for approval of Unitil's second annual reconciliation and rate filing for the Default Service Costs Adder and Base Rate reduction.	November 16, 2007	Letter Order
06-110-A	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for approval by the Department of its Annual Electric Reconciliation Mechanism.	November 21, 2007	Stamp Approval
07-56	Petition of Bay State Gas Company to the Department for Approval of Precedent Agreement for Natural Gas Storage.	November 21, 2007	Order
N/A	Western Massachusetts Electric Company Basic Service Filing	November 21, 2007	Stamp Approval
07-9/07-10	Petition of NSTAR Electric Company to the Department for a Zoning Exemption Pursuant to G.L. c. 40A, §3 and for approval to construct an Electric Transmission Line in the Town of Plympton, MA pursuant to G.L. c. 164, § 72.	November 26, 2007	Order
07-62-A	Petition of Algonquin Gas Transmission, LLC to the Department pursuant to M.G.L. c. 164, §§ 72A, 75B, and 75D, for authorization to enter upon land in support of an application for the construction of natural gas pipelines and appurtenant facilities with the Federal Energy Regulatory Commission.	November 28, 2007	Order
GS-032	Global Montello Group Corp., Gas Supplier License Renewal	November 28, 2007	Stamp Approval
RA-027	Patriot Energy Management Inc., Gas Retail Agent License Renewal	November 28, 2007	Stamp Approval
N/A	NSTAR's Basic Service Filing	November 30, 2007	Stamp Approval
07-4	Petition of NSTAR Electric Company for approval by the Department of supporting schedules calculating a revised Default Service Costs Adder.	December 14, 2007	Order

Docket Number	Case Description	Date Issued	Order Type
07-GC-25	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a 365-Day Firm Transportation Service Agreement with Abbey Landmark Operating, L.L.C.	December 14, 2007	Letter Order
07-79	Investigation by the Department on its own motion into the prudence of The Berkshire Gas Company's actions related to the loss of a fuel purchase agreement.	December 17, 2007	Order
07-90	Application of the Cape Light Compact, pursuant to G.L. c. 164 App. §§ 2-1 through 2-10; and 220 C.M.R. §§ 7.00 et seq., for approval by the Department of the Company's Calendar Year 2008 Massachusetts RCS Program Budget.	December 17, 2007	Stamp Approval
07-91	Application of Fitchburg Gas and Electric Light Company, (Electric Division) pursuant to G.L. c. 164 App. §§ 2-1 through 2-10; and 220 C.M.R. §§ 7.00 et seq., for approval by the Department of the Company's Residential Conservation Services Budget for the calendar year 2008.	December 17, 2007	Stamp Approval
07-92	Petition of Massachusetts Electric Company and Nantucket Electric Company d/b/a National Grid to the Department for Approval of Fiscal Period 2008 Residential Conservation Service Program Budget and Recovery of Program Operating Costs, pursuant to G.L. c. 25, §19; G.L. c. 164 App. §§ 2-1 through 2-10 and 220 C.M.R. §§ 7.0 et seq.	December 17, 2007	Stamp Approval
07-93	Application of NSTAR Electric Company, pursuant to G.L. c. 164 App. §§ 2-1 through 2-10; and 220 C.M.R. §§ 7.00 et seq., for approval by the Department of the Company's Residential Conservation Services Budget for the calendar year 2008	December 17, 2007	Stamp Approval
07-94	Application of Western Massachusetts Electric Company, pursuant to G.L. c. 164 App. §§ 2-1 through 2-10; and 220 C.M.R. §§ 7.00 et seq., for approval by the Department of the Company's Residential Conservation Services Budget for the calendar year 2008.	December 17, 2007	Stamp Approval
N/A	National Grid's Basic Service Filing	December 18, 2007	Stamp Approval
04-116-D	Investigation by the Department on its own motion regarding the service quality guidelines established in Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies, D.T.E. 99-84 (2001).	December 19, 2007	Order
07-105	Rulemaking by the Department, on its own motion, commencing a rulemaking pursuant to 220 C.M.R. §§ 2.00 et seq., and for the purpose of amending various Department regulations.	December 20, 2007	Order
07-29	Petition of Assabet Water Company to the Department for approval to revise rates.	December 20, 2007	Order
07-33	Petition of KeySpan Energy Delivery New England to the Department for review and approval of an extension to Management Services and Agency agreements between KeySpan and its affiliate Northeast Gas Markets.	December 20, 2007	Stamp Approval
07-78	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for approval of its annual pension and post retirement benefits other than pensions adjustment and rate filing.	December 20, 2007	Order
07-88	Petition of NSTAR Electric Company and NSTAR Gas Company seeking approval of their fifth annual Pension and Post-Retirement Benefits other than Pensions adjustments, to take effect on and after January 1, 2008.	December 20, 2007	Order
07-GC-26	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a Firm Transportation Agreement with Beverly Hospital.	December 20, 2007	Letter Order

Docket Number	Case Description	Date Issued	Order Type
07-GC-27	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a Firm Transportation Agreement with Harrington Memorial Hospital.	December 20, 2007	Letter Order
07-GC-28	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a 365 Day Firm Transportation Agreement with Brookhouse Condominium Trust.	December 20, 2007	Letter Order
07-GC-29	Boston Gas Company d/b/a KeySpan Energy Delivery New England petition for approval of a 365 Day Firm Transportation Agreement with Mystic 1, LLC.	December 20, 2007	Letter Order
GS-017	BP Energy Company, Gas Supplier License Renewal	December 20, 2007	Stamp Approval
RA-016	Energy Window, Inc., Gas Retail Agent License Renewal	December 20, 2007	Stamp Approval
RA-020	Absolute Energy Services LLC, Gas Retail Agent License Renewal	December 20, 2007	Stamp Approval
07-100	Application of NSTAR Gas Company, pursuant to G.L. c. 164 App. §§ 2-1 through 2-10; and 220 C.M.R. §§ 7.00 et seq., for approval by the Department of the Company's Residential Conservation Services Budget for the calendar year 2008.	December 21, 2007	Stamp Approval
07-101	Application of New England Gas Company, Fall River service area, pursuant to G.L. c. 164 App. §§ 2-1 through 2-10; and 220 C.M.R. §§ 7.00 et seq., for approval by the Department of the Company's Residential Conservation Services Budget for the calendar year 2008.	December 21, 2007	Stamp Approval
07-102	Application of New England Gas Company, North Attleboro service area, pursuant to G.L. c. 164 App. §§ 2-1 through 2-10; and 220 C.M.R. §§ 7.00 et seq., for approval by the Department of the Company's Residential Conservation Services Budget for the calendar year 2008.	December 21, 2007	Stamp Approval
07-54	Petition of Dover Water Company to the Department for approval of long-term financing for the purpose of refinancing current indebtedness and funding construction of new water plant.	December 21, 2007	Stamp Approval
07-95	Application of Bay State Gas Company, pursuant to G.L. c. 164 App. §§ 2-1 through 2-10; and 220 C.M.R. §§ 7.00 et seq., for approval by the Department of the Company's Residential Conservation Services Budget for the calendar year 2008.	December 21, 2007	Stamp Approval
07-96	Application of The Berkshire Gas Company, pursuant to G.L. c. 164 App. §§ 2-1 through 2-10; and 220 C.M.R. §§ 7.00 et seq., for approval by the Department of the Company's Residential Conservation Services Budget for the calendar year 2008.	December 21, 2007	Stamp Approval
07-97	Application of Blackstone Gas Company, pursuant to G.L. c. 164 App. §§ 2-1 through 2-10; and 220 C.M.R. §§ 7.00 et seq., for approval by the Department of the Company's Residential Conservation Services Budget for the calendar year 2008.	December 21, 2007	Stamp Approval
07-98	Application of KeySpan Energy Delivery New England, pursuant to G.L. c. 164 App. §§ 2-1 through 2-10; and 220 C.M.R. §§ 7.00 et seq., for approval by the Department of the Company's Residential Conservation Services Budget for the calendar year 2008.	December 21, 2007	Stamp Approval
07-99	Application of Fitchburg Gas and Electric Light Company, (Gas Division) pursuant to G.L. c. 164 App. §§ 2-1 through 2-10; and 220 C.M.R. §§ 7.00 et seq., for approval by the Department of the Company's Residential Conservation Services Budget for the calendar year 2008.	December 21, 2007	Stamp Approval

Docket Number	Case Description	Date Issued	Order Type
07-47	Petition of the Cape Light Compact to the Department for Certification and Approval of its Energy Efficiency Plan: 2007-2012, pursuant to G.L. c. 164, §134(b).	December 24, 2007	Stamp Approval
07-67	NSTAR Electric Company submits for review its 2006 Energy Efficiency Annual Report.	December 24, 2007	Stamp Approval
07-68	Massachusetts Electric Company and Nantucket Electric Company d/b/a National Grid submit for review its 2006 Energy Efficiency Annual Report.	December 24, 2007	Stamp Approval
07-81	Petition of NSTAR Electric Company to the Department for review and approval of its 2007 Distribution Rate Adjustment/Reconciliation Filing.	December 28, 2007	Order
07-82	Petition of Western Massachusetts Electric Company to the Department for approval of its Compliance Filing and additional reconciliation factors, made in accordance with the Department's Order in DPU/DTE 06-55 (December 14, 2006).	December 28, 2007	Order
07-106	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil to the Department for review and approval of its Annual Electric Reconciliation Mechanism Filing.	December 31, 2007	Order